

Development Control Committee Main Schedule

Schedule of Applications for
Planning Permission

23rd April 2010

Applications Entered on Development Control Committee Schedule

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The Schedule of Applications

This schedule is set out in five parts:

SCHEDULE A - contains full reports on each application proposal and concludes with a recommendation to the Development Control Committee to assist in the formal determination of the proposal or, in certain cases, to assist Members to formulate the City Council's observations on particular kinds of planning submissions. In common with applications contained in Schedule B, where a verbal recommendation is made to the Committee, Officer recommendations are made, and the Committee's decisions must be based upon, the provisions of the Development Plan in accordance with S54A of the Town and Country Planning Act 1990 unless material considerations indicate otherwise. To assist in reaching a decision on each planning proposal the Committee has regard to:-

- relevant planning policy advice contained in Government Circulars, Planning Policy Guidance Notes, Development Control Policy Notes and other Statements of Ministerial Policy;
- the adopted provisions of the Cumbria and Lake District Joint Structure Plan;
- the City Council's own statement of approved local planning policies including the Carlisle District Local Plan;
- established case law and the decisions on comparable planning proposals
- including relevant Planning Appeals.

SCHEDULE B - comprises applications for which a full report and recommendation on the proposal is not able to be made when the Schedule is compiled due to the need for further details relating to the proposal or the absence of essential consultation responses or where revisions to the proposal are awaited from the applicant. As the outstanding information and/or amendment is expected to be received prior to the Committee meeting, Officers anticipate being able to make an additional verbal report and recommendations.

SCHEDULE C - provides details of the decisions taken by other authorities in respect of those applications determined by that Authority and upon which this Council has previously made observations.

SCHEDULE D - reports upon applications which have been previously deferred by the Development Control Committee with authority given to Officers to undertake specific action on the proposal, for example the attainment of a legal agreement or to await the completion of consultation responses prior to the issue of a Decision Notice. The Reports confirm these actions and formally record the decision taken by the City Council upon the relevant proposals. Copies of the Decision Notices follow reports, where applicable.

SCHEDULE E - is for information and provides details of those applications which have been determined under powers delegated by the City Council since the previous Committee meeting.

The officer recommendations made in respect of applications included in the Schedule are intended to focus debate and discussions on the planning issues engendered and to guide Members to a decision based on the relevant planning considerations. The recommendations should not therefore be interpreted as an intention to restrict the Committee's discretion to attach greater weight to any planning issue when formulating their decision or observations on a proposal.

If you are in doubt about any of the information or background material referred to in the Schedule you should contact the Development Control Section of the Department of Environment and Development.

This Schedule of Applications contains reports produced by the Department up to the 09/04/2010 and related supporting information or representations received up to the Schedule's printing and compilation prior to despatch to the Members of the Development Control Committee on the 14/04/2010.

Any relevant correspondence or further information received subsequent to the printing of this document will be incorporated in a Supplementary Schedule which will be distributed to Members of the Committee on the day of the meeting.

SCHEDULE A

SCHEDULE A

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SCHEDULE A

SCHEDULE A: Applications with Recommendation

09/0886

Item No: 01

Date of Committee: 23/04/2010

Appn Ref No:
09/0886

Applicant:
Mr G MacDonald

Parish:
Arthuret

Date of Receipt:
18/01/2010

Agent:
Heine Planning
Consultancy

Ward:
Longtown & Rockcliffe

Location:
Sandysyke, Longtown, Carlisle, CA6 5SY

Grid Reference:
338432 566163

Proposal: Change Of Use Of Land From Former Woodland To Caravan Site For Stationing Of Caravans For Single Extended Gypsy-Traveller Family With Associated Development (Hard Standing, Cess Pool, Two Utility Sheds) (Part Retrospective)

Amendment:

1. Revised Site Layout Plan
-

REPORT

Case Officer: Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination by Members of the Development Control Committee due to objections having been received from neighbours and the Parish Council. The application is also of public interest.

1. Constraints and Planning Policies

Tree Preservation Order

The site to which this proposal relates has within it a tree protected by a Tree Preservation Order.

Explosives Safeguarding Area

The proposal relates to land or premises situated within or adjacent to an Explosives Safeguarding Area.

Health & Safety Executive Consultation

The proposal relates to development involving or affected by hazardous substances or noise.

Local Plan Pol CP1 - Landscape Character

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP10 - Sustainable Drainage Systems

Local Plan Pol CP11-Prot.Groundwaters &Surface Waters

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan Pol H14 - Gypsies and Travellers

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the County Council is mindful of the previous three applications for the formation of storage yard, buildings for building materials and roofing products and the recommendations made. There is no objection to the application subject to the imposition of highway conditions;

Community Services - Drainage Engineer: the applicant indicates disposal of foul sewage to a private sewage treatment plant, septic tank or cess pit. The applicant must make sure through the Building Control process that the plant is adequately sized to meet treatment demand. The applicant must also obtain any necessary consent for the plant from the Environment Agency and planning permission if the plant serves more than one property.

The applicant indicates disposal of surface water to a soakaway which is an acceptable method of disposal.

There is no knowledge of flooding issues at the site;

Environmental Services - Environmental Quality: the following comments have been received:

1. To avoid the ponding of surface water on the site all roadways, hard standings shall be laid to such falls as necessary to secure adequate run off from water;
2. Every caravan shall be stationed not less than 6 metres from every other caravan. This is to ensure adequate separation with the regards to the spread of fire;
3. Due to the proposed use of a cess pit rather than a septic tank for drainage. It is essential that monitoring and regular emptying of the cess pit takes place to prevent surcharging and nuisance from odours; and

4. It will be necessary for a site licence to be issued if the planning application is approved and implemented;

Development Services Planning & Housing Services - Local Plans (Trees): the proposal is located on the site of woodland protected by Tree Preservation Orders 226 and 67. The site was cleared of trees in contravention of the Tree Preservation Orders in order to facilitate the proposals.

The site is designated within the Carlisle District Local Plan 2001-2016 as a Primary Employment Area, not residential. Policy EC1 Primary Employment Areas makes specific reference to the Sandysike area. Proposals in this area must meet these specific criteria and these proposals do not.

Carlisle District Local Plan 2001-2016 Policy CP1 Landscape Character seeks to ensure that proposals conserve and enhance the special features and diversity of the different landscape character areas, and have regard to the pattern of trees and woodlands and habitats of importance for wildlife. The Landscape Character classification for this site is 5B Low Farmland, a key characteristic of which is woodland, although this is uncommon west towards the coast.

Carlisle District Local Plan 2001-2016 Policy CP2 Biodiversity seeks to ensure that proposals do not harm the integrity of the biodiversity. The destruction of this woodland will have had a significant detrimental impact on the local environment and its biodiversity. The site is immediately adjacent a Plantation on an Ancient Woodland site. Although not itself Ancient Woodland the site will be colonised from the adjacent site both by the flora and fauna associated with the Ancient Woodland site and acting as a reservoir and conduit for the flora and fauna.

Carlisle District Local Plan 2001-2016 Policy CP3 Trees and Hedges on Development Sites seeks to provide for the protection and integration of trees into developments, and states that the Council will resist proposals which cause unacceptable tree loss.

Following previous illegal felling on this site the Local Authority served a tree replacement notice on the then Owner. The then owner appealed the Notice to the Secretary of State, the appeal was dismissed. However, the Notice has not been complied with and the replanting remains outstanding. It should be noted that the requirements of the Notice to replant go with the land and whoever from time to time is the owner of the land.

Following the most recent illegal pre-emptive felling prior to this application it is the Local Authorities intention to serve a new tree replacement notice to ensure adequate restocking of the site.

In conclusion the Tree Officer is opposed to the proposals as it is contrary to the Carlisle District Local Plan 2001-2016 Policies as set out above;

Forestry Commission: comments awaited;

Planning & Housing Services - Housing Strategy: initial comments stated:

Housing Need

The Cumbria Gypsy and Traveller Accommodation Needs Assessment; Executive Summary (GTAA) states the following.

- Since the Housing Act 2004 Local Authorities have been preparing to develop and implement strategies to respond to the accommodation needs of Gypsy and Traveller communities.
- Demand for pitches/plots is likely to increase resulting in more unauthorised accommodation and overcrowding of existing sites. The report does suggest there is an additional residential need for 2007–2012 of 32 pitches/plots in Carlisle district. Even allowing for the '15' pitches at Ghyll Bank there is a shortfall of 17 pitches.
- The preferred type of accommodation is for small private sites which they/their families own. Living on a site owned by a private landlord or another Gypsy/Traveller family was amongst the least favoured options.

In respect of Policy H14 (Gypsies and Travellers) of the Carlisle District Local Plan 2001–2016 the proposal does seem to meet most of the criteria that the City Council consider when deciding whether or not to grant permission. The only concern is the adverse impact on the local landscape and the potential for adverse noise and vehicular disruption, taking into account the tree preservation orders. Officers are aware that objections have been raised in regard to the concealed access to the site and the belief that it is unsuitable for residential use because it is located in an industrial area.

Regarding the supporting statement it is noted that the Council is invited to consider the application (as an alternative) on a temporary basis for a period of 3-4 years. Also, while personal circumstances should not come under consideration when deciding to grant permission, we do realise it would allow those members suffering ill health to receive regular treatment and the children to receive a regular education.

Further comments received on 23 February 2010 read as follows:

The Cumbria Gypsy and Accommodation states a requirement of 34 additional pitches for the period 2007-2012. This is made up of 29 residential and 5 transit. The previous figure given of 32 is incorrect.

Current new provision and planned provision for the period 2007-2012 is for an additional 51 pitches. This is made up of 24 pitches available at Hadrian's Camp, as the whole site is now open (the site has planning permission for 54 pitches for Gypsy and Travellers, but only 30 pitches are recorded as available in the GTAA as part of the site closed down in 2007), 15 pitches at Ghyll Bank - due for completion and 12 pitches granted planning permission at a private site also at Low Harder.

As such, there is not a shortfall on the identified need figures as stated in the comments;

Health and Safety Executive: the HSE does not advise, on safety grounds, against the granting of planning permission in this case;

Arthuret Parish Council: the Parish Council does not support the application on the following grounds:

1. Arthuret Parish Council understand that Carlisle City Council are making adequate provision for travellers which will supplement existing provision i.e. Hadrian's Camp;
2. Although the area is designated Ancient Woodland it is adjacent to industrial land, the Parish Council feel the area should be industrial not residential;
3. Other applications to build adjacent to industrial and have been refused permission in Arthuret Parish in the past e.g. Audek on Brampton Road;
4. The travellers have removed part of a hedge and created access to the public highway. Was permission sought and given for this as the Parish Council understand permission is required?

Ministry of Defence/Defence Estates: comments awaited; and

Cumbria Constabulary - Crime Prevention: no objection.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
Shed 5	20/01/10	Objection
Fauldmoor Cottage	20/01/10	
Fauldmoor Crossing	20/01/10	Objection
Tall Trees	20/01/10	
1 Woodside	20/01/10	Objection
2 Woodside	20/01/10	
3 Woodside	20/01/10	Objection
4 Woodside	20/01/10	
5 Woodside	20/01/10	
6 Woodside	20/01/10	
Mountelm	20/01/10	
	20/01/10	
Longtown & Rockcliffe	20/01/10	
Longtown & Rockcliffe	20/01/10	
Burnfoot Farm		Objection
Burnfoot Farm		Objection
7 Adelaide Street		Objection

3.1 This application has been advertised by means of a site notice and direct notification to the occupiers of fourteen of the neighbouring properties. At the time of writing this report, seven letters of objection have been received and the main issues raised are summarised as follows:

1. the woodland area has a Tree Preservation Order which was disregarded when the work was being undertaken. Over the past three years two owners have illegally removed trees and prosecuted in court. The wooded area should be reinstated;

2. the site is within an industrial area and is not suitable for residential development;
3. the road is narrow and straight with several accesses along it. The road is not suitable for additional development as it poses a threat to driver safety;
4. there is sufficient provision for gypsy/ travellers in the area and there is no justification in allowing another site;
5. there is no essential need for the proposal to be in this rural location, contrary to current planning policies;
6. there may be a risk of trade waste storage due to the applicants self-employed status; and
7. previous applications have been refused on this site and in the area due to the loss of trees

4. Planning History

- 4.1 In 1988, planning permission was refused for a new vehicle storage building.
- 4.2 Planning consent was refused in 2006 for the formation of a storage yard and buildings for building material and roofing product.
- 4.3 In 2007, planning permission was refused for a revised application for the formation of a storage yard and buildings for building material and roofing product.
- 4.4 Planning consent was refused later in 2007 for a revised application for the formation of a storage yard and buildings for building material and roofing product.
- 4.5 A revised application for the formation of a storage yard and buildings for building material and roofing product was submitted in 2007 but was withdrawn prior to determination.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This application seeks Full Planning Permission for the change of use of land to a private Gypsy-Traveller site at land at Sandysike, Longtown. The application site, which measures approximately 36 metres in width by 70 metres in depth is located immediately adjacent to, and to the north of, the County highway leading from Sandysike to Arthuret Parish Church and ultimately to Longtown, and is 800 metres to the east of the junction with the A7. There is a mature beech hedge approximately 2 metres high to the

frontage of the site. To the east and west of the site are commercial units with open countryside to the south and a wooded area to the north. The land is designated as being a Primary Employment Area within the Carlisle District Local Plan 2001-2016.

Proposal

- 5.2 The development would comprise of three static caravans, three touring caravan pitches, three utility sheds. Foul sewage from the site would be treated by means of two cess pools. The application is retrospective with the exception of the cess pools, which have not been installed. The applicant's agent has invited the Council to consider granting temporary planning consent for a period of 3-4 years.
- 5.3 The application is accompanied by a letter from the agent inclusive of a Design and Access Statement which, amongst other things, makes the following points:
1. the site would be occupied by a single Gypsy family comprising of the applicant, his wife and four children; the applicant's brother, his wife and three children; the applicant's sister, her husband and one child; and the applicant's mother;
 2. the applicant is a Scottish Traveller who was based in the Falkirk area up until 1996. Upon his father's death in 1996, the family had to leave the yard that they overwintered on in Falkirk. Since this time, the family were residing at a socially provided site at Bathgate but following a violent attack on Mr MacDonald, the family were forced to leave and are reluctant to return to Scotland;
 3. the family were on the road and managed to make use of a private site in Blackpool as a base for 2 years but were unable to get back on as it was fully occupied;
 4. the applicant and his brother undertake all general landscaping and tree work and have never lived in housing instead being on the road all their lives;
 5. the applicant's mother has a mental disability which can make her absent minded and paranoid and has been known to wander from the caravan, sometimes having to be returned by the police. Mr MacDonald's sister-in-law has a serious muscle problem that could lead to paralysis which results in severe pain meaning that she can't walk. Two young children also have problems with asthma and eczema. The family need to have access to education and medical facilities and the four youngest children have been enrolled at Longtown school.
 6. the site is not within an AONB or County Landscape. It is accepted that the proposal has resulted in the loss of trees on the land and that the proposal would prevent the restocking/ regeneration of the TPO area and therefore, in the short term, would have an adverse impact on the local

landscape. A temporary planning consent would allow the site to be restocked when the permission ends;

7. the site is located on the edge of Longtown where there are shops and a primary school and the site is only a short drive from the outskirts of Carlisle. Given the small scale of the proposal it is most unlikely to have any impact on adjoining land uses in terms of traffic, noise, disturbance etc;
8. Policy EC1 allows for the redevelopment and extension to existing industrial and warehousing premises subject to consideration against the policy criteria. The site was not in any B1, B2 or B8 use and the proposal has not resulted in the loss of land that could be used for commercial uses and it is questionable if Policy EC1 is applicable as it does not concern the redevelopment or extension of an existing premises; and
9. it is acknowledged that the proposal would conflict with development plan policies designed to protect the wooded area but the main issues is whether there are any consideration sufficient to outweigh any harm. There is a requirement in Circular 01/2006 to make suitable provision and there is a shortfall identified by the North West Regional Gypsy and Traveller Accommodation Need assessment.

Background

- 5.4 The site was previously a woodland protected by Tree Preservation Orders (TPOs) 226 and 67. The trees were felled in 2007 by the previous owner, although further clearance has taken place to facilitate the development and the majority of the hardstanding is in place, an earth bank has been created along the eastern boundary and the static caravans are on site together with several of the utility buildings. A fence has also been erected adjacent to the front boundary on the inside of the existing hedge.
- 5.5 On 1st February 2010, Mr MacDonald was successfully prosecuted at Carlisle Magistrate's Court for clearing woodland protected by the TPO. Mr MacDonald admitted breaching the order and was fined, as was the contractor who carried out the work.
- 5.6 Prior to May 2007 there was provision for at least 100 caravans for use by the Gypsy community comprising two "private" Gypsy sites within the District, namely Hadrians Park and Ghyll Bank Caravan Park.
- 5.7 In the case of Hadrians Park there is planning permission for 30 permanent pitches and 30 transit pitches for one caravan each. The relevant site licence conditions allow for a total of 70 caravans on the site. Of these, 16 of the pitches are not restricted to occupation by Gypsies and thus there is capacity for 54 exclusively Gypsy caravans at Hadrians Park.
- 5.8 In relation to Ghyll Bank permission had been given for 15 permanent pitches and 15 pitches that allowed occupation for up to 28 days. Although having been used by Gypsy families there were no conditions imposed that restricted

occupation of any pitch to Gypsies or Travellers.

- 5.9 In the intervening period there have, however, been a series of changes in the provision for Gypsies and Travellers with regard to not only Hadrians Park and Ghyll Bank Park but also at Ghyll Bank House. In addition, the University of Salford published in May 2008 a final report of the Cumbria Gypsy and Traveller Accommodation Needs Assessment (GTAA).
- 5.10 On the 1st May 2007 the transit site at Hadrians Park was closed and the caravans removed. On the 20th November 2007 during a Special Neighbourhood Forum meeting held at Houghton School, the proprietor allegedly explained that he wanted the freehold of Hadrians Park; he would be willing to spend his own money to carry out all necessary upgrades; and, he was intending to re-open the transit site. At the time of preparing this report, the transit site has yet to be upgraded at Hadrians Park although there is evidence of re-use.
- 5.11 In November 2008, under application 08/0976, planning permission was given for the re-instatement of use of Ghyll Bank Caravan Park as a Gypsy and Traveller site with 15 pitches but managed either by or on behalf of the City Council. Some of the pitches are now occupied at Ghyll Bank Caravan Park.
- 5.12 In April 2009, under application 08/1204, planning permission was given for a private Gypsy and Traveller site with 12 pitches at Ghyll Bank House. During a telephone conversation with Officers in February 2010 the applicant/owner of Ghyll Bank House confirmed that the weather had delayed the commencement of implementation but the intention is for the ground works and services to be completed and then units to be accommodated before the end of 2010.
- 5.13 Members will also be aware that under application reference numbers 07/0522, 07/1083 and 08/350 temporary planning permission has been given for private Gypsy -Traveller sites at Ghyll Bank Stables, Parkfield Stables (Newtown), and Ghyll Bank Yard.
- 5.14 In May 2008 the University of Salford published a final report of the Cumbria GTAA. It concluded that between 2007-2012 there is an additional need within Carlisle District for 29 residential pitches; between 2012-2016 there is a requirement for 6 additional residential pitches; and an additional transit need in Cumbria as a whole between 2007-2016 of 35 pitches. The latter has then been equally split to 5 pitches per district and for the Lake District National Park. These conclusions were, however, reached on the basis that Carlisle District had 30 authorised pitches i.e. at a time when the transit site at Hadrians Park was closed and no account made of provision at Ghyll Bank Caravan Park. In effect the Cumbria GTAA indicates a total need for 59 pitches up to 2012, rising to 62 by 2016. This compares to current actual provision of 30 permanent pitches (and 30 transit pitches) at Hadrians Park; 15 pitches at Ghyll Bank Caravan Park; and 3 single family pitches. Account also needs to be made of the expected provision of 12 pitches at Ghyll Bank House. As such, by the end of 2010 it is expected that total provision of residential pitches in the District will be 60 compared to the required 59 with

no account taken of the available transit provision. This figure is thus two short of the required provision for 2016.

Assessment

1. The Principle Of Development

- 5.15 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations (including Government Policy as expressed through Planning Policy Guidance Notes or Planning Policy Statements) indicate otherwise.
- 5.16 At a general level, Government advice is contained in Circular 8/93 “Award of Costs incurred in Planning and other Proceedings” and Circular 11/95. Consideration also needs to be made with regard to the Human Rights Act 1998 and the Race Relations (Amendment) Act 2000.
- 5.17 Specific advice is contained in Circular 01/2006 “Planning for Gypsy and Traveller Caravan Sites”. Circular 01/2006 seeks, amongst other things, to create sustainable communities where gypsies have fair access to suitable accommodation, education, health and welfare provision. It advises that Development Plan Documents must allocate sufficient sites for gypsies and travellers, and that sites must be demonstrably suitable, and likely to be made available.
- 5.18 Circular 01/2006 also highlights that material considerations will include the existing and planned provision of, and need for, sites in the area; the accuracy of the data used to assess need; information on pitch availability on public and private sites; personal circumstances; and alternative accommodation options. Paragraphs 45 and 46 explain that where there is unmet need, but no available gypsy and traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, local planning authorities should give consideration to granting a temporary permission.
- 5.19 At the present time, the Development Plan comprises the North West of England Plan- the Regional Spatial Strategy to 2021 (adopted September 2008), saved and extended Policies within the Cumbria and Lake District Joint Structure Plan (adopted April 2006) and the provisions of the Carlisle District Local Plan 2001-2016 (adopted in September 2008). In essence, the Development Plan seeks to regulate the amount and location of development required within the District to meet the community's needs for housing, employment, social and community facilities, transport, leisure and recreation, retail and other land uses. It seeks to balance such requirements against (and/or reconcile them with) economic objectives, infrastructure capacities and environmental considerations. It is a process whereby the community is empowered to comment upon and influence the spatial disposition of land use allocations through statutory consultations and affords scrutiny of options through the formal Inquiry system prior to adoption of policies and proposals,

including allocations of additional land for development.

- 5.20 The North West of England Plan: Regional Spatial Strategy to 2021 does not contain any policy on Gypsies and Travellers. Policy H14 of the Carlisle District Local Plan 2001-2016 provides guidance and requires that where there is an identified need the City Council will consider the provision of Gypsy and Traveller sites and that they will be acceptable providing that they meet five criteria. These are: the proposal will not compromise the objectives of the designation of an Area of Outstanding Natural Beauty or Landscape of County Significance; there would be no adverse impact on the local landscape; appropriate access and parking can be achieved; the proposed site is reasonably accessible to community services; and the proposal would not adversely affect the amenities of adjacent occupiers by way of noise, vehicular or other activities on site. Policies CP11 and CP12 of the Local Plan 2001-2016 also seek to ensure that development safeguards the quality of surface and groundwaters, and is not permitted without adequate foul drainage.

2. Impact On The Character And Appearance Of The Surrounding Area

- 5.22 When considering the impact of the proposal on the character and appearance of the area, the site is read as being within an area of scattered development associated within the countryside. It could therefore be argued that the development would have the effect of interrupting the rural character of the area although the site is neighboured by commercial buildings that form part of the Sandsike Industrial Estate and Mountelm which is to the south-west.
- 5.23 The applicant's agent has already confirmed that in her view, the proposal has an adverse impact on the local landscape in the short term. If considered on its merits in terms of the development on the land, the site is adequately screened by the existing beech hedge and surrounding trees and vegetation and it is not considered that this adversely affects the character and appearance of the landscape; however, the loss of the trees is a material consideration and the appearance of the area has undoubtedly changed detrimentally as a result.

3. Impact Upon Tree Preservation Orders 226 and 67

- 5.24 Policy CP3 of the Local Plan seeks to provide protection and integration of trees into developments and states that the Council will seek to resist proposals which cause unacceptable tree loss. The consultation response received from the Council's Tree Officer is explicit and advises that following the previous felling of the site, the Council served a tree replacement notice on the then owner of the land. The owner at the time appealed the notice to the Secretary of State who considered the appeal but subsequently dismissed it. The notice has not been complied with and the replanting remains outstanding. The Officer response continues by stating that it is the Council's intention to ensure adequate restocking of the site.
- 5.25 The agent has submitted extensive reasons as to why the applicant and his

family could not, therefore, settle easily on a shared site with other families and the option of moving onto an alternative site has been discounted by the applicant. Notwithstanding, no persuasive argument has been demonstrated to justify the need for the development of the site to outweigh the loss of the wooded area that is subject to a TPO and a Restocking Notice served by the Forestry Commission.

- 5.26 Whilst the trees were initially felled prior to the applicant's purchase and subsequent development of the site, the continuing clearance/redevelopment of the site means that any restocking has been prejudiced and would be delayed further still should planning consent be granted. There may be some merit in the agent's argument that temporary planning permission could be granted and the site restocked at a later date; however, it is important to note that the appeal by the former land owner to the Secretary of State against the restocking notice was dismissed and this outweighs any argument relating to a temporary planning consent.

4. Drainage

- 5.27 In regard to the issue of drainage, planning policies require that there are adequate drainage provisions to serve the proposed development. The Council's Drainage Engineer has raised no objection to the principle of development but has advised that the system needs to be adequately sized to meet demand. This issue could be controlled through the imposition of a planning condition should Members be minded to grant consent.

Conclusion

- 5.28 In regard to the question of need, it is not contested that there is a national, regional and county need to make appropriate provision of sites for gypsies and travellers. However, in the case of Carlisle District significant effort has been undertaken and is ongoing such that by the end of 2010 it is expected that total provision of residential pitches in the District (inclusive of those subject to a temporary permission) will be 60 compared to a requirement for 59 pitches, with no account taken of the additional pitches available through transit provision. This provision is only two short of the required provision of pitches for 2016. In effect it is considered that there is adequate provision for Gypsy and Traveller accommodation in the area that surpasses the required provision for 2012 and nearly meets the need for 2016.
- 5.29 This application was submitted in October 2009 and the site has been subsequently developed. It is considered that the loss of the trees on the site, albeit prior to the purchase of the land by the current applicant, has adversely affected the character of the area; however, of greater concern is the fact that the development of the site as a caravan site prejudices the restocking of the site. In addition, there is not a proven general need for additional Gypsy sites in the area up to at least 2012, and the applicant's circumstances appear to be such that it cannot be concluded that a move from his current site is essential on the grounds put forward.
- 5.30 Based on the foregoing the proposal is recommended for refusal. If Members

accept the recommendation, it will be further necessary for the Committee to consider what action would be required to remedy the unauthorised works that have already taken place. It is suggested that the enforcement notice should be served within 28 days from the date of the decision and the notice should require the removal of all caravans from the site; the removal of the hardstandings; the removal of all sheds and outbuildings; the levelling of any earth bund material across the site; and the removal of all boundary fences and access gates. The notice should require all works to be complete within 6 months from the date of the notice.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 The proposal has been considered against the above. The applicant's Human Rights are respected but based on the foregoing it is not considered that any personal considerations out-weigh the harm created by the development.

7. Recommendation - Refuse Permission

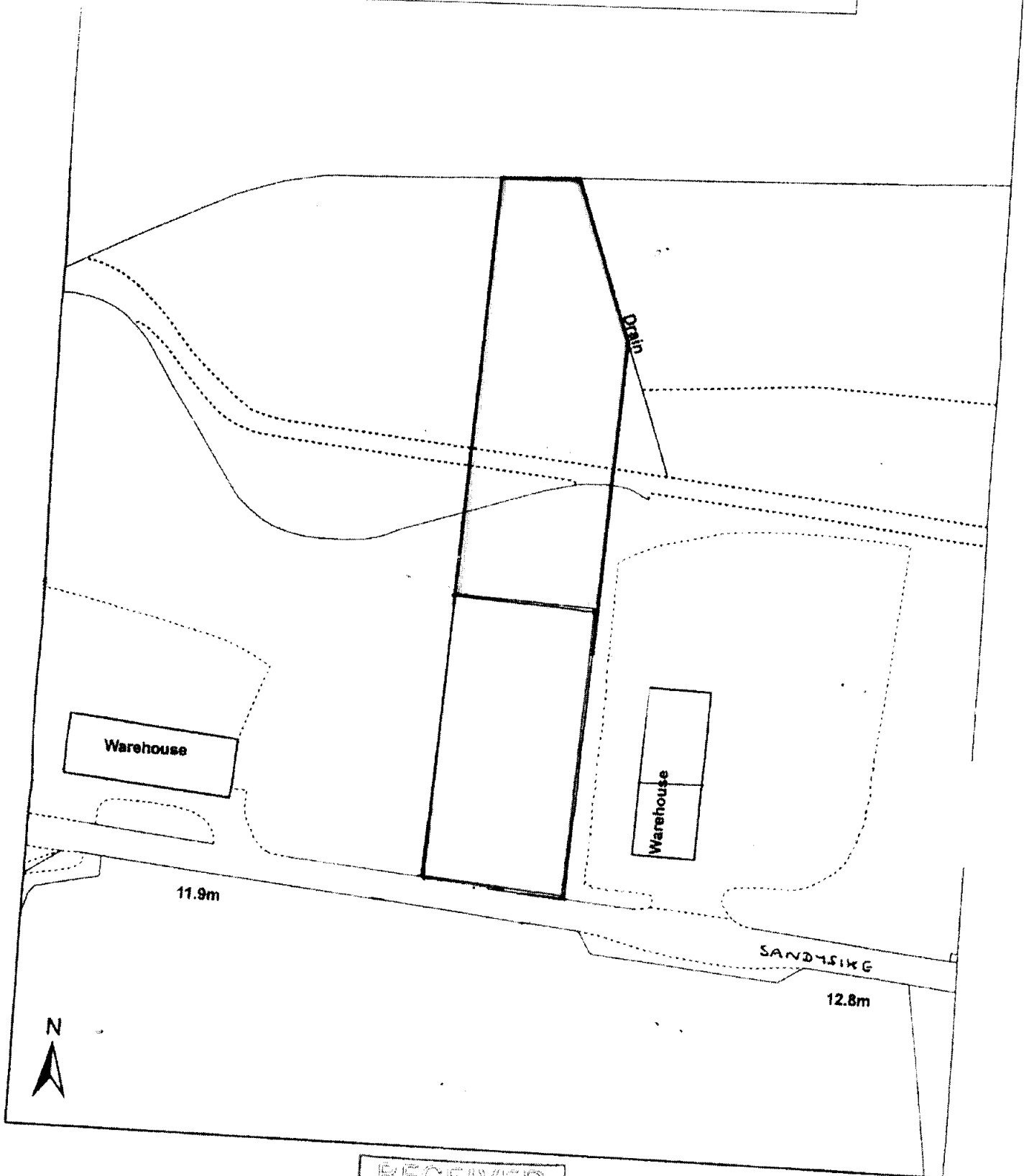
1. **Reason:** There is no proven general need for additional Gypsy sites in the area and the applicant's circumstances appear to be such that it cannot be concluded that occupation of the current site outweighs the potential to occupy alternative sites. The site of the proposed development is located within an area of sporadic development unrelated to any existing settlement. In this location the proposal would be unduly conspicuous, consolidating the existing development to the detriment of the rural character of the area. The proposal would thus be contrary to Policy H14 of the Carlisle and District Local Plan

2001-20016 which seeks to ensure proposals for Gypsies and Travellers stem from an identified need and ensure that there would be no adverse impact on the local landscape.

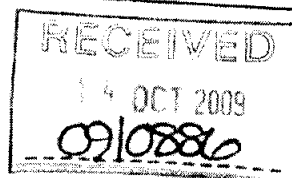
2. **Reason:** In order to accommodate the proposed development, an extensive area of trees and their remaining stumps have been removed, which is protected by Tree Preservation Order No.226 and is subject to a Restocking Notice served by the Forestry Commission. The irrevocable loss of such a significant area of protected woodland would be detrimental to the landscape character of the surrounding area and result in the loss of a natural area and significant landscape feature. As such the proposal is contrary to the objectives of criteria 1 and 2 of Policy EC1 (Primary Employment Area - relating to Sandysike), the objectives of Policy CP1 (Landscape Character), Policy CP3 (Trees and Hedges on Development Sites), and criterion 6 of Policy CP5 (Design) of the Carlisle District Local Plan 2001-2016.
-


Land north side Sandysike, Longtown, Carlisle CA6 5SY
Mr George MacDonald

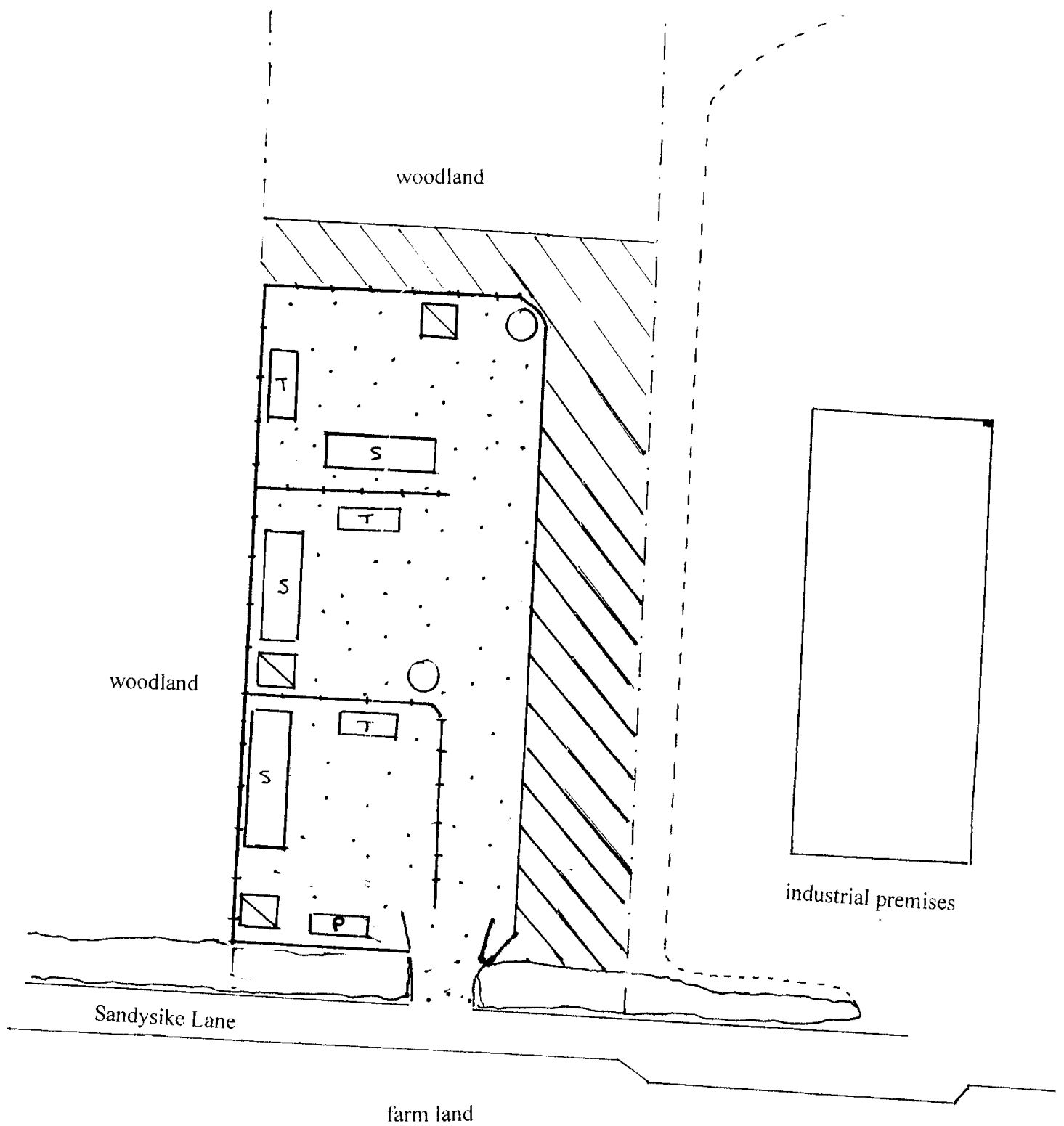
Plan 1: LOCATION PLAN
Scale 1:1250



Scale: 1:1,250



Planning & Housing Services
Civic Centre
Carlisle
CA3 8QG
CARLISLE CITY COUNCIL

www.carlisle.gov.uk



24 MAR 2010
09/0886

Land north side Sandysike, Longtown, Carlisle CA6 5SY
Mr George MacDonald

Plan 2: PROPOSED SITE LAYOUT PLAN Rev A 22.3.2010

Scale 1:500

Key

S Static caravan

T Touring caravan

○ Cess pool

□ Utility shed

/// restock with native trees

· · · hard standing

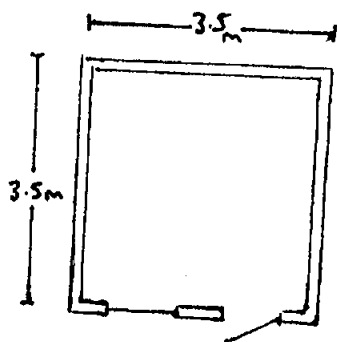
—+—+— Post and panel fence P Portacabin for horses

Land north side Sandysike, Longtown, Carlisle CA6 5SY
Mr George MacDonald

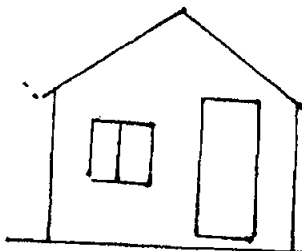
Plan 3: UTILITY SHED - INDICATIVE DESIGN

Scale 1:100

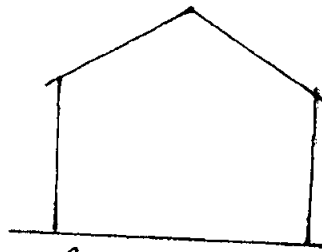
Exact details and materials to be agreed. This might be substituted for a portacabin type structure with fitted toilets/ showers of a similar size..



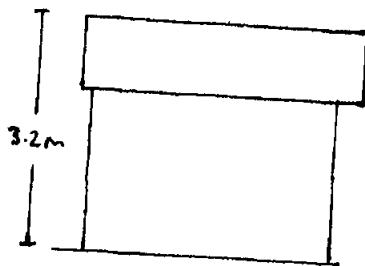
Floor plan



Front



Rear



side

RECEIVED

14 OCT 2009

09/0886

Heine Planning Consultancy

Alison T Heine B.Sc, M.sc, MRTPI

10 Whitehall Drive, Hartford, Northwich, Cheshire CW8 1SJ

Tel: 01606 77775 e-mail: heineplanning@btinternet.com

L1- J15-05-CCC

9 October 2009

Carlisle City Council
Planning and Housing Services
Civic Centre
Rickergate
Carlisle
CA3 8QG

Dear Sir/ Madam

Re: Planning application for Change of Use of land from former woodland to caravan site for stationing of caravans for single extended Gypsy-Traveller family with associated development (hard standing, cess pool, two utility sheds)

Applicant: Mr George MacDonald

Site: land on north side Sandysike, Longtown CA6 5SY

Background

I am instructed to submit an application for the change of use of land at Sandysike for a private caravan site for a single Gypsy family. The application is part retrospective in so far as the hard standing has already been laid and caravans were moved onto the land in early October. I was contacted after the site was occupied. I have not seen the site but have been sent photos by the applicant. I have also discussed the case with Mr Charles Bennett of Mr Ian Shaw of the Council who called Mr MacDonald in for caution on Friday 9th October. Mr Bennett kindly sent me a copy of the October 2008 TPO appeal to which several coloured photographs of the site are attached which I presume were taken on the accompanied site visit in July 2008. The decision also provides a helpful description of the site before it was recently purchased by Mr MacDonald. I think all concerned are in agreement that Mr MacDonald has not felled any more trees but he has levelled the ground and laid some further hard core and in doing so has unwittingly disturbed the natural regeneration of the site.

My client can not read or write and I believe the Council are satisfied he purchased the land without the benefit of a land search and with no prior knowledge of the TPO's previously made on the land, the prosecution of the former owner for felling trees protected by a TPO and the restocking notice requirement for this land.

Application for planning permission

The application is submitted electronically with this supporting statement which incorporates a design and access statement. The following are posted separately:-

1. Four location plans with the application site edged red and remainder of the site edged blue

2. Four copies of the site plan
3. Four copies of the plan and elevations of a typical utility shed.

I also attach

-Klargester cess pool details for 45 000 or 55 000 litre model
 -a newspaper report with details of a feud between a certain Scottish Traveller family which had previously also involved this family and is the reason they are no longer stopping in Scotland.

The application is submitted with a Certificate A. The site has been bought off the previous owner - a Mr W Swaile though I understand the transfer has not been registered with the Land Registry. The applicant will pay the planning fee of £335 over the counter.

In this statement I consider

1. Site
2. Planning History
3. Proposal
4. Design and Access statement
5. Gypsy status
6. Policy
7. Need for sites
7. Assessment of planning issues
8. Other material considerations

1. Site

The site is known to you. The site lies to the NE of Carlisle 2 miles south of Longtown on the west side of the A7. Sandysike is a narrow straight country lane serving a mixture of industrial and some residential uses. There are various industrial sheds and premises along the northern side separated by some woodland. These are older buildings understood to date from the 1950's or earlier war time use of the land. I am told they are mostly occupied for haulage uses and general builders merchants. To the south land is in agricultural use and this is also in the flood plain. At the far end of the lane by the disused railway line is some residential use.

The application site is located towards the western end of the lane on the north side between two industrial premises. It is surrounded by well wooded land to the north and west. There is a mature beech hedge across the road frontage on the length of Sandysike with an existing access.

2. Planning history

It is understood the site was once used as a haulage/ goods yard in connection with the former railway. But at some time this use must have been abandoned and the land allowed to regenerate as the site is subject to TPO No 67 made in 1988. The previous owner removed many of the trees (predominantly birch).

The site is also subject to a second TPO confirmed in 2007 (No 226). I am told this can not replace the 1988 order until the requirements of the 1988 order are met.

The previous owner was prosecuted for removal of the trees and required to replant the site. This was not done. The current owner bought the land unaware of these issues

3. Proposal

The owner bought the land with a view to establishing a private Gypsy-Traveller sites for his family. The family are seeking some where to settle on a permanent basis, however, because of the planning history on this site the Council is invited to consider the application in the alternative on a temporary basis for a period of 3-4 years.

Permission is sought for a change of use with operational development to station 4 static caravans and 3 touring vans on the land. Because permission is sought on a temporary basis it is intended to limit the scale operational development to development that can be easily removed. The family would rely on loose clean crushed concrete hardcore topped with cold planings, two cess pools and four small utility sheds ie development that is quick and cheap to install and easily removed with minimum ground disturbance.

It is understood that there is no mains drainage in the area that could be connected to. The site is not connected to mains electricity to operate a package treatment plant which in any event would be very expensive for a temporary consent. The land is low lying just beyond the northern edge of flood plain with a high water table. It is unlikely the ground is suitable for a septic tank which is why I propose a cess pool unit.

The utility sheds would provide toilet/ shower facilities.

4. Design and Access

Use: Use of the site is as a private residential Gypsy-Traveller site. The local plan fails to identify suitable locations for Gypsy-Traveller sites in this district nor does it provide any guidance or layout criteria for Gypsy-Travellers sites. The Council has however approved several additional caravan sites nearby on this side of Carlisle and this has generally been found a suitable area for the location of sites.

Regard should be had to the requirements of standard Caravan Site Licences and CLG Guidance on the design of sites for Gypsies and Travellers which although principally written for socially provided sites is helpful also when considering smaller private sites.

There is a need for

- access from properly surfaced roads
- hardstandings for caravans and 6m separation distance between occupied caravans
- parking space for cars
- electricity and drinking water supplies
- washing facilities
- sewerage disposal
- refuse collections
- fire extinguishers
- boundary treatment

These are all provided/ capable of being provided. The family will rely on the use of generators and will connect to the mains water supply.

Amount: The plot measures 35 m wide and 170 m long. The caravan site would be formed on the front 60m, most of which would be laid to hard standing to provide space for 4 statics and 3 touring caravans with two small utility sheds / portacabin type structures with a floorspace of about 3.5m square linked to a cess pool.

Layout: The caravans would be arranged in a row on the western side of the site.

Appearance: The design and appearance of touring and static vans can not be prescribed as these can be changed just like a motor vehicle. The caravans occupied by the applicants on this site are typical of most Gypsy-Traveller sites. These are low level structures which provide compact living accommodation. The utility sheds would be constructed from timber or other prefabricated material for ease of dismantling.

Landscaping: The existing mature beech hedge along the road frontage would be retained. A strip 6m wide would be retained behind this hedge together with a 10m wide strip along the eastern boundary of the site and this land would be replanted with appropriate woodland planting as agreed in the 2008 appeal decision ie broadleaved trees from a mixture of oak, ash, field maple, alder and birch as 60-90cm transplants with Scots Pin planted as undercut 30-45 cm specimens with retention of all naturally regenerating plants and appropriate weeding.

Access: Use is made of an existing access, 6m wide access into the site off the lane. The lane is shared with traffic to the industrial units. It is clearly suitable for the proposed use as it is designed for much larger vehicles. The proposed use would not add noticeably to traffic in the area. The access would be gated. The gates would be set back 5m from the lane to open inwards.

5. Gypsy status

Permission is sought for the following to live on the site

Mr George MacDonald (32) and his wife Natalie (nee Devers). The couple have been married 13 years and have the following children

Shannon -11

Georgia -9

George -5

Ronald -16 months

Brother John MacDonald (36) and his wife Isobel (nee McPhee) and their children

Twins Jimmy and Sinead -6

Rhianny -6 months

Sister Elizabeth and husband Ian McGregor and their daughter Sophie 15

Mother, Mrs Martha MacDonald aged 65 who was born in the Dumfries/ Galloway area..

The site occupants are all Travellers. The Macdonald family are Scottish Travellers who were based in the Falkirk area up until 1996. Mr Colin MacDonald Snr was born on the road side some where in the Borders. The family tell me he was known and well

respected by many as the King of Travellers. Members of his family still live in the Falkirk area. He was very active in the Gypsy Council campaigning for the rights of Travellers. When he died in 1996 the family had to leave the yard they overwintered on in Falkirk.

Natalie (nee Devers) is from a family of Irish and Scottish Travellers. Her grandfather was from Balana in Northern Ireland. Her Grandmother was from the Douglas family who lived in the Dumfries area.. Her mother was born in Irvine and her father was born on the roadside in Auchinlech, Ayrshire. She has been married to George MacDonald for 13 years.

Mr Ian McGregor is from a travelling family based in Perthshire. His parents now stop on a residential caravan site in Crieff. He has been married to Elizabeth for a some 20 years.

Isobel McPhee is from another large travelling Scottish Travelling family - but not the same group referred to in the attached press report.

The family have travelled all over Scotland, northern England, Wales and Ireland for farm work and tree work. Following the death of Mr McDonald Snr the family moved to a socially provided site at Bathgate where they overwintered for about 6 years. There was a violent attack on Mr G McDonald by members of the McPhee family which left him hospitalised. The family left and would probably not return to Scotland. The family are reluctant to discuss this for fear of any repercussions but mentioned a more recent incident involving the same family which I found details of on the web. Hopefully on reading this the Council will be satisfied that they had good reason to move away.

They were on the road for a while until they managed to make use of a private site in Blackpool where a cousin was stopping. They managed to use this site as a base for about 2 years but then they could not get back on as it was full with other families.

Last summer they stopped for about 9 months over in the North East on a bird reserve next the socially provided site at Lynemouth. Apparently the Council kept trying to move them on and would not let them stop on the Lynemouth site even though the family understood there were spare places on the site. At the time the eldest brother in the family was stopping with them. Colin MacDonald has a young son who has Leukemia and he was being treated at Newcastle Hospital. In the end the Council left them alone for a few more months. Unable to settle on any site Colin MacDonald and his family have since had to settle in housing in Falkirk as they could not access medical treatment from the roadside.

Mr George and John MacDonald and Mr McGregor all do general landscaping and tree work. They have all lived on the road most of their lives and have never lived in housing

The family have need to be settled for health and education needs. They are not claiming that they must be settled on this land or in this area, but they do have needs that can not be met if they do not have a settled base. The family have often visited the Carlisle area in the past as it is very central to all the places they usually visit.

After leaving Lynemouth and before moving onto this land the family were previously stopping

- near Asda Carlisle
- layby near Ghyll Bank, Low Harker
- Mr Francis site at Ghyll Bank - but not permitted to stop as the site owner did not like children on his site
- Hadrians Park site in Carlisle
- Morecambe area
- Workington area
- Barnard Castle area.

Mrs Martha MacDonald is not well lady and has a mental disability. Her son describes her as very absent minded and a bit paranoid. She will sometimes wander off and be found by the police and brought back. It is a real worry for the family when they are stopping on the roadside as they can not always keep an eye on her. She will sometimes get up in the middle of the night and wander off. Her sons report that says has had this problem as long as they can remember. She was sectioned by the Police in Falkirk some 8-9 years ago when she stopped at traffic lights and would not move on. The family lost a son many years ago and apparently she will accuse other families of hiding him in their caravans. This is obviously very embarrassing for the family as they have to explain the situation to others every time they stop with other families. She is inclined to wander off and go into others vans which has caused the family problem when sharing sites with other families. Her sons say she receives injections every 3-4 weeks to 'calm her down'.

Elizabeth McGregor has a serious muscle problem that could lead to paralysis. She is often is such pain that she can not walk. She has to carry all her medical records with her but may now be registered with a Doctor in Carlisle (details awaited).

Two young children have problems with asthma and excsma. The family need to be settled to ensure they are treated by Doctors.

There are four young children of primary school age that need to be in school. They have all been enrolled at Longtown school. The family reckon the children have had no education for the last 12 months and little before then. Most of the adults in the group can not read or write and the family are most anxious that their children do get the education most of them never had..

6. Policy

The site is located in a Primary Employment Area subject to a TPO (TPO No 226 and 1988) and part of an ancient woodland.

Relevant national guidance is contained in PPS1, PPS7, PPS9, PPG13. Government advice on provision of Gypsy-Traveller sites is given in C 1/2006

The development plan comprises the Carlisle District Local Plan

Policy EC 1 relates to the Sandysikes Industrial Estate

Policy CP2 concerns biodiversity which includes woodlands used as landscape features

Policy CP3 on Trees and hedges which seeks to safeguard against unacceptable tree loss.

Policy H14 for Gypsy-Traveller sites

7. Need for sites

In March 2007 the NW Regional Gypsy and Traveller Accommodation Need Assessment was published. This identified a need for between 332-386 additional pitches in the North West region over a 5 year period from 2006. For Cumbria the need was identified as 12 pitches plus 16 pitches for Travelling show people. The study reported just before the transit site at Hadrian's Park was closed.

A sub regional GTAA has since been carried out by Salford University for Cumbria. The draft report was published in March 2008. This identified a need for 32 additional pitches in Carlisle 2007-2012. Significant weight should be attached to this finding.

A partial review of the RSS is to be carried out with a view to publication of the revised RSS by 2009 to address the need for more Gypsy-Traveller sites in the region. The present draft identifies a need of 35 additional residential pitches in Carlisle which will be partially met with the new site at Low Harker.

8. Assessment of planning issues

There is no policy for Gypsy sites in the Structure Plan. The Development Plan comprises Policy H14. This was not informed by a needs assessment as was recommended by Circular 1/94, PPG 3, PPG 12 and letter sent to all local authorities, and as now recommended by Circular 1/2006 and required by the Housing Act 2004. It is a criteria based policy which states that proposals for Gypsy site will be acceptable provided that

1. The site is not within an AONB or County Landscape.
2. There would be no adverse impact on the local landscape
3. Appropriate access and parking can be achieved
4. The site is reasonably accessible to community services
5. The proposal would not adversely affect the amenities of adjacent occupiers by way of noise, vehicular or other activities on site.

The site is not within an AONB or County Landscape. Access is excellent and adequate space exists for off road parking. The site is located within 2 miles of Longtown where there are shops and a primary school. It is only a short drive from the outskirts of Carlisle. The site would not adversely impact on neighbouring land uses and the site is adequately buffered from these uses by existing trees and buildings to ensure site occupants are not affected by commercial operations and activities on other sites. It must be remembered that the site occupants have previously had to stop on road laybys and the transit site at Hadrians Park which immediately adjoins the M6.

The only issue of concern is criteria 2. The proposal has not resulted in the loss of any trees on the land but it is accepted that the proposal would prevent the restocking/regeneration of the TPO area and therefore, in the short term, has an adverse impact on the local landscape.

The application site falls within an area designated for Primary Employment Use under the adopted Proposals Map and in such locations Policy EC1 is applicable. At Sandysike this allows for the redevelopment and extension to existing industrial and warehousing

premises provided the proposal does not have an adverse impact on the landscape, does not involve the loss of existing tree cover and where appropriate reinforce existing landscaping, and had adequate access and parking space.

The site is also included in two TPO's . The 1988 notice is specific to just this site and there is a general TPO confirmed in 2007 for much of the industrial estate. The TPOs were issued to protect an attractive landscape feature rather than for the merits of the individual trees themselves. A tree restocking notice has been issued but has not been complied with by the previous owner.

The site was not in any B1, B2 or B8 use. The proposal has not resulted in the loss of land that could be used for commercial uses and it is questionable if Policy EC1 is applicable as it does not concern the redevelopment and extension of an existing premises. For the purposes of planning this is ordinary open countryside not subject to any special or national planning constraints. C 1/2006 is silent on the issue of TPOs and it is not clear if they are to be regarded as local or special planning constraints for the purposes of paras 52/3.

It is not disputed that the loss of woodland by the previous owner has affected the wooded character of the area. It is clear that in due course the woodland would re establish and be the feature it once was. It is understood the site was previously in use as some kind of goods yard. It had regenerated naturally and there is no reason to believe it would not be capable of doing so again .

The proposal does not require the removal of any more trees but it would prevent the restocking of parts of the site.

The Council has previously refused consent for other development in this industrial estate including a steel framed building at Jim Peet and extension of yard space, refurbishment and extension of storage buildings at Unit 9 (currently the subject of an appeal). It was argued to that to permit such development would result in an irrevocable loss of a significant are of protected woodland. In these examples permission was being sought for new/ extended buildings and permanent areas of hard standing which would have necessitated considerable expense. Gypsy-Traveller sites are different. The transitional arrangements detailed in C 1/2006 recognises that permissions can be granted on a temporary basis. Many temporary permissions have since been granted with a standard requirement that the site be restored to its previous condition when the use ceases. The type and scale of operational development can be controlled to minimise the long term impact. If permission were to be granted on a temporary basis of say 3 -4 years this would delay but not prevent the restoration of this site. It would not set a precedent that would be hard to resist in the future for other units on this estate.

9. Other material considerations

It is acknowledged that the proposal would conflict with development plan policies designed to protect a woodland area. It is considered that the main issue is whether there are any other considerations sufficient to clearly outweigh any harm. I rely on the following matters:

1. The guidance in C 1/2006 to make suitable provision and the need to avoid making families homeless
2. The personal needs for the family to be settled on a site where they can access health and education facilities, have security of tenure and can live as an extended family. The family have taken up residence of the site. If it were considered there is no suitable alternative accommodation, forcing the applicant and his family to leave the site would result in them losing their homes. This would represent an interference with their home and family life, respect for which is incorporated in Article 8 of the European Convention on Human Rights. Any interference with the applicant and his family's human rights resulting from eviction from the site could be considered disproportionate to the public interest by the retention of the site particularly if for a limited time period.
3. The need for more sites in the district as identified by the GTAA and to be agreed as part of a regional allocation There will be a need for additional sites to accommodate all the families wanting/ needing to settle in this area. It is anticipated that this need will be addressed by way of a site allocation DPD which could take a further 3-4 years to progress.
4. The absence of alternative provision. For reasons explained above, the family do not think they could settle easily on a site shared with other families and it is unlikely they would put their names down for a pitch on the new site currently being built by the Council at Low Harker or any other socially provided site. The family have had difficulty being accepted on other private sites both in Carlisle and elsewhere. The family are therefore looking for their own site.

The main issue of concern to Planning is the fact use is made of land previously designated part of a TPO. The scheme as submitted seeks to develop the front 60m of the site. The site is well screened by the mature roadside hedgerow. The caravans are viewed against the backdrop of the remainder of the woodland. It is proposed to retain and restock a strip of land down the eastern side of the site and behind the front hedgerow. Little would be seen of the caravans. The landscape significance of the woodland has to be viewed in the context of the fact it is within an area zoned for commercial premises. The land is not otherwise protected for its landscape value.

In recognition of the requirements of the TPO appeal/ restocking notice it would be open to the Council to grant, in the alternative a temporary consent. This would enable restocking to take place when the temporary period ends. This would offer the following benefits

- a) Permission would not set an undesirable precedent for other development planned or proposed at Sandysikes Industrial Estate.
- b) immediate start on the re stocking of parts of the cleared part of the site in accordance with the 2008 TPO appeal decision
- c) the applicants would have some where to stop, that meets their personal needs to access health and education services, until such time as suitable alternative sites can be found as part of the site allocation DPD. This would have proper regard to matters identified in paras 58 and 69 of the C1/2006 as well as to paras 70-72 with regard to matters of human rights and Race Equality Duties.

If you require any further information or wish to discuss any aspect of this case, please do not hesitate to contact me.

Yours faithfully

Mrs Alison T Heine

SCHEDULE A: Applications with Recommendation

10/0141

Item No: 02

Date of Committee: 23/04/2010

Appn Ref No:
10/0141

Applicant:
Leehand Properties Ltd

Parish:
Brampton

Date of Receipt:
15/02/2010

Agent:
Redisher Ltd

Ward:
Brampton

Location:
15 Capon Hill, Brampton, CA8 1QJ

Grid Reference:
353044 560225

Proposal: Erection Of 1no. Dwelling (Revised Application)

Amendment:

1. Plan No 5 has been replaced by Plan No 5A which (1) shows the gable window of bedroom No 3 being glazed in obscure glass with no openers and (2) amends an error in the windows elevations on the north and west gables so that they accord with the floor plans.
-

REPORT

Case Officer: Dave Cartmell

Reason for Determination by Committee:

The application is brought before the Committee for determination as nine letters of objection have been received and the recommendation is contrary to a previous decision of the Council.

1. Constraints and Planning Policies

Airport Safeguarding Area

RSS Pol DP 1 - Spatial Principles

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol H1 - Location of New Housing Develop.

Local Plan Pol H2 - Primary Residential Area

Local Plan Pol H9 - Backland Development

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP12 - Foul&Surf.Water Sewerage/Sew.Tr.

Local Plan Pol LE16 - Historic Structures and Local Listings

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): confirm that the comments made on the previous application would still apply (i.e reducing the height of the hedge to give a clear visibility of the road).

In relation to a scenario whereby there would be three houses within the curtilage of No 15 (the house having been subdivided into two separate dwellings in 2001 without the benefit of planning permission), Highways have advised that they would have reservations about the lack of parking for 3 dwellings and that if this was on a highway, refusal would be recommended. Highways recommend contacting the waste management service to ascertain whether their vehicles would be able to turn around in the turning head if there are cars parked there. (If there the turning manoeuvre cannot be performed without reversing the length of the private road Highways advise that there is a highway safety issue).

This issue is further discussed in the report;

Community Services - Drainage Engineer: applicant indicates disposal of foul sewage to the mains (public) sewer, which is acceptable. The applicant does not indicate the method of disposal of surface water. However in the first instance the applicant should investigate the use of either a sustainable drainage system or soakaways for surface water disposal.

There is no knowledge of flooding issues at this site;

United Utilities (former Norweb & NWWA): reply awaited (response to the previous application was as follows:

No objection to the proposal if possible; the site should be drained on a separate system, with foul drainage only connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public sewer UU may require the flow to be attenuated to a maximum discharge rate determined by UU;

Brampton Parish Council: the proposed development will be unacceptably detrimental to the amenities of neighbouring residents by reason of loss of privacy, overlooking and general disturbance contrary to criteria 2 and 3 of Policy H2 and criteria 1 and 2 of Policy H9 of the Carlisle District Local Plan.

The proposed plan is over development of the site;

Carlisle Airport: no objections;

Local Plans (Tree Preservation), Development Services: the comments relating to the previously refused application 09/0578 remain valid and are repeated below.

To protect the retained trees root protection barriers must be erected prior to the commencement on site at a distance from the trunk as ascertained from the guidance set out in BS 5837.

The specification and location of the barriers must be agreed in writing with the local authority prior to commencement on site;

Waste Services: no objection - changes to the cul-de-sac head will not present any access difficulties.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
10 Capon Hill	18/02/10	
12 Capon Hill	18/02/10	Objection
Brampton Rural Housing Society, The Old Brewery	18/02/10	Objection
Brampton Rural Housing Society, The Old Brewery	26/02/10	Objection
11 Capon Hill	18/02/10	
12 Capon Hill	18/02/10	Objection
13 Capon Hill	18/02/10	
14 Capon Hill	18/02/10	Objection
16 Capon Hill	18/02/10	Objection
17 Capon Hill	18/02/10	
18 Capon Hill	18/02/10	
Horizon	18/02/10	
Braeside	18/02/10	Objection
Applecross		Objection
8 Capon Hill		Objection

3.1 The proposal was given publicity by site notice and direct notification of neighbouring occupiers. In response a total of nine letters of objection have been received, including five from the occupants of four properties within the Capon Hill development.

3.2 The letters identify the following concerns/issues:

1. the same reasons for refusal of the previous application (09/0578) should still apply. The reasons were as follows:

"the proposed development, by reason of siting, scale and design fails to complement or enhance the character or quality of the existing residential area, contrary to the objectives of criteria 3 of Policy H2 and criteria 1 of

Policy H9.

the development would be detrimental to the living conditions of the occupiers of adjacent property through loss of privacy and overbearing presence contrary to the objection of criteria 2 of Policy H2 and criteria 1 of Policy H9".

2. Specific comments made in relation to these two issues have been made as follows:
 - i. the development would alter the balance of the built environment, appear irregular and spoil the symmetry and architectural integrity of the area which forms part of the history of the development of Brampton
 - ii. additional access would affect the turning circle
 - iii. the quiet cul-de-sac would change as increased traffic and parking would become a problem with attendant risks to children playing in the street. It would also impact adversely on access for emergency and other service vehicles
 - iv. another objector refers to 6 houses in the cul-de-sac having 12-14 vehicles and the likelihood of difficulties of gaining access to number 14 for the off-street parking of 8-9 vehicles during family occasions
 - v. the proposed property would overlook number 16 in a dominating way
 - vi. number 15 was subdivided into two properties about 10 years ago which, if the application was to be approved, would result in 3 houses in a space formerly occupied by one. This could result in 6 cars all requiring parking space.
3. this development amounts to overdevelopment and constitutes garden grabbing (the practice of cramming a relatively large house into a garden area) which is contrary to (a) government advice and (b) the Vision, Housing Strategy, and wider objectives of the Local Plan.
4. allowing the development would set a precedent for additional development which would further erode the character of the area.
5. as the cul-de-sac is a private road, any alterations need the approval of owners of properties fronting the street.
6. query whether the existing waste system and water supply will be able to cope with the extra dwelling.
7. one of the objectors suggests that the Planning Committee visit the site before taking a decision.

- 3.3 Brampton Rural housing Society also sent a letter of objection raising the following issues
- i. Brampton Rural Housing Society (formerly Brampton Public Utility Society Limited) was the original owner of Capon Hill and still own two of the properties at Capon Hill and the road forming the cul-de-sac is registered with this Society. BRHS are concerned about the extra traffic using the road and also for the residents of Capon Hill who would undoubtedly lose some of the privacy which they currently enjoy. It is understood that the prospective developer has not applied to this Society or the other residents of Capon Hill for an easement giving them right of access to the new property (or indeed to the extra property (number 15a) which BRHS believe they have formed by splitting number 15 into two properties).
 - ii. BRHS are currently experiencing problems with drainage at one of our properties at Capon Hill and that these problems seem to be affecting some of the other properties further up the drainage system and am concerned that adding another property to this drainage system would exacerbate these problems.
 - iii. BRHS feel if planning permission is granted for this property, then surely a precedent would be set and permission may be sought from other residents in the cul-de-sac who also have large gardens attached to their properties and what at the moment is a small, aesthetically pleasing and well maintained cul-de-sac would become an overcrowded and unbalanced housing estate.
- 3.4 One of the objectors suggests that *"there is a widely held belief that developers always get what they want even if it means repeated applications and as a last resort on appeal"* which he notes is *"a privilege that the objectors do not have"*. He makes a plea for submission of realistic and previously thought out proposals submitted after consultations within the neighbouring community and the planning department. The same objector also raises the following issues additional to those listed above:
1. the Local Plan identifies (1) the importance of improving the local environment for existing residents of the District (2) that *"the plans should be read as a whole and all relevant policies should be taken into account"* (3) a high priority for the protection of the built environment and making the best use of existing land resources;
 2. the development is not based on local needs;
 3. the physical and psychological well being of gardening and the importance of gardens as wildlife habitats.

4. **Planning History**

- 4.1 A planning application for the erection of a dwelling within the garden (09/275) was withdrawn and a further application (09/578) was refused.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This is a revised application for full planning permission for the erection of a detached dwelling within the garden ground of No.15 Capon Hill, Brampton which lies at the head of a short residential cul-de-sac leading from Capon Tree Road. There have been two previous similar applications, the first of which (09/0275) was withdrawn by the applicant. The second application (09/578) was refused on the grounds of adverse impact on the character of the existing residential area and on the living conditions of the occupiers of adjacent residential property.
- 5.2 No.15 is a one and a half storey semi-detached property with a flat-roofed garage and has substantial side and rear gardens which are bounded by substantial hedges and trees (up to 12m in height) on the north, west and east sides. The boundary with No16 is low horizontally boarded hit and miss wooden fence with some shrubs. There are also many small trees and overgrown shrubs within the garden and the front garden boundary is a substantial hedge. The six houses in the cul-de-sac are all semi-detached, one and a half storey properties of identical design and materials and have the upper floor set in the roof space. Several have extended to the rear while others have installed dormers or constructed integral garages. No. 14 to the north of the application site has a conservatory on the west elevation. To the west is single storey dwelling with windows on the east elevation and a parking area to the south.
- 5.3 The curtilage of No. 15 extends to over 800 sq metres which it is proposed to divide almost equally between the existing and proposed house. The proposal involves the demolition of the existing flat roofed garage and green house.

Background

- 5.4 The proposed house is an L-shaped dormer bungalow comprising a lounge, study, dining/kitchen and w.c. on the ground floor and three bedrooms, a bathroom and a shower on the upper floor. The house is sited to the north side of number 15 and is set back approximately 8 metres behind its front building line. The footprint is approximately 93 square metres; the ridge height is 6.5 metres with the eaves height being 3.8 metres. A flat roof dormer serving a bedroom and the bathroom is almost centralised on the front elevation. The only other upper floor windows, serving bedrooms, are on the north and west gable elevations. The wall materials are cement rendered walls on a facing brick plinth and painted concrete cills while the 40° pitch roofs are of natural blue slate, all to match adjacent properties.
- 5.5 The applicant has submitted a Tree Report in support of the application. The report identifies a total of eight trees along the boundary with No. 14 and the adjoining property to the west and advises that none of them pose a threat to

neighbouring houses. The report also advises:

1. the established hedges on the north and north east boundary give a very effective screen to the present house and neighbouring houses and could offer the same screening for any new development. However they are quite tall (10-12m) and could be impacting on neighbouring properties;
 2. all of the boundary trees are healthy specimens and will not be affected by the development (although some will require surgery);
 3. the only trees which will have to be removed to facilitate the development are small fruit trees, raspberry canes, gooseberry bushes and a mix of small shrubs and garden plants to the northwest and south east part of the plot.
- 5.6 It is proposed remove the existing conifers and plant a new native screen hedge along the north and east boundaries.
- 5.7 The Design and Access Statement submitted with the application points out that while the boundary fences generally reflect the ownership indicated on the conveyance plan and the land registry plan, there are two discrepancies:
1. the fence line on the northern boundary is slightly beyond the legal boundary indicated on the plan;
 2. on the eastern boundary the existing wall and fence on the line of the party wall between the existing garage and greenhouse is on average, 1 metre inside the legal boundary.
- 5.8 The applicant makes it clear that either the legal boundary, or the fence line within that legal boundary, have been used to define the extent of the site available for development to ensure that no dispute can arise in regard to the application.
- 5.9 The salient points of the Design and Access Statement are as follows:
1. the new design has reduced the footprint to match that of the existing dormer bungalow and is now a three bedroomed property;
 2. the ridge and eaves height, and the 40 degree roof pitch match the design of existing houses in the cul-de-sac;
 3. outlooks from ground floor windows are in general, screened from adjoining properties by landscaping and hedge planting to the boundaries
 4. it is accepted that access in the cul-de-sac is limited so every effort will be made to mitigate any inconvenience to the existing residents during the construction phase of the development. To minimise disruption to the neighbouring properties and keep the construction period to a minimum the following approach will be adopted:

5. construction vehicles will be forbidden from parking within the cul-de-sac (which is important to maintain access for deliveries);
 6. the existing garage and greenhouse will be demolished and the new driveways formed before work commences (this will provide enhanced turning space for vehicles alongside the current cul-de-sac);
 7. the rear garden of No.15 (the ownership of which will be retained by the applicant until the new property is complete) will be made available for additional materials storage and mess facilities for construction staff with the new joint boundary fence only being erected on completion of the new house;
 8. work will be restricted to the working week only with no work at weekends;
 9. the property will be constructed to current building regulations standard of insulation and heating boilers will be condensing and will meet SEDBUC rating of 86% to meet current standards;
 10. all the major trees are to be retained and protected by chestnut pale fencing during development. The conifer hedge on the northern and eastern boundaries is overgrown and is to be removed and replaced by a new mature hedge of hawthorn, blackthorn, holly etc to match that on the western boundary to provide screening from the new dwelling to the adjacent properties.
- 5.10 The site lies within a Primary Residential Area of Brampton which is designated as a Key Service Centre in the Carlisle District Local Plan 2001-2016.

Assessment

- 5.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission shall be determined in accordance with the provisions of the Development Plan unless material considerations (including Government Policy, as expressed through Planning Policy Guidance notes and Planning Policy Statements, and representations) indicate otherwise. The Development Plan comprises the Carlisle District Local Plan (2001-2016) (adopted 09/09/2008), extended policies of the Joint Cumbria and Lake District Structure Plan (2006) and the North West of England Plan Regional Spatial Strategy to 2021.
- 5.12 In consideration of this application Policies DP1, DP4, DP7, H1, H2, H9, LE16, CP3, CP5 and CP12 of the Carlisle District Local Plan and Policy DP1 of the North West of England Plan Regional Spatial Strategy to 2021 are relevant. The relevant aspects of these policies seek to ensure that residential development proposals:
1. are assessed against their ability to promote sustainable development;
 2. will be favourably considered, provided they are in scale and consistent

with other policies of the Local Plan and located in either the Urban Area, Key Service Centres or Local Service Centres;

3. do not adversely affect the amenity of adjacent residential property;
 4. complement or enhance existing character of residential areas and their amenity;
 5. have satisfactory access and appropriate parking arrangements;
 6. provide for the protection and integration of existing hedges and trees and additional planting;
 7. respond to the local context and the form of surrounding buildings in relation to height, scale and massing and by making use of appropriate materials and detailing;
 8. make adequate provision for the disposal of surface water.
- 5.13 The Development Plan advocates that in proposals for residential development, priority should be given to the reuse of previously developed land.
- 5.14 The development plan objectives, and the material considerations raised by consultees and objectors, have now to be considered. As it is accepted that (1) the principle of residential development in this location in Brampton, which is a Key Service Centre, is acceptable (2) Highways are satisfied that access, parking and possible road safety issues have been addressed (3) Waste services do not foresee any access issues and (4) the issue of disposal of surface water could be dealt with by condition, it is considered that the key determining factors in this application are as follows:
1. the degree of impact on the living conditions of adjacent residential occupiers;
 2. the degree to which the proposal complements or enhances the character and quality of the residential area.
- 5.15 With regard to the potential impact on the living conditions of adjacent residential occupiers:
- (a) because the proposed house is set back from No.15 there is potential overlooking of the rear garden of that property. The earlier proposals have been revised to remove all windows from the south elevation with the exception of a ground floor WC window which will have obscure glazing;
 - (b) while the front garden of No.14 is potentially overlooked by the ground floor study and kitchen windows and upper floor bathroom and bedroom windows, it should be noted that the front garden is currently overlooked from the window of No.13 and by persons using the cul-de-sac. It is proposed to remove the existing tall conifer hedge and replace it with a

new native species hedge. If the application was to be approved it is considered that a fence (with border planting within the site to soften the appearance of the building when viewed from the neighbouring property) would be necessary to minimise overlooking from ground floor windows. A condition could be attached requiring the bathroom window to be of opaque glazing;

- (c) the side garden and conservatory of No.14 is potentially overlooked from the following habitable rooms(1) ground floor lounge, study and wc windows/patio doors and (2) upper floor bedroom window. The applicant proposes obscure glazing in a non-opening bedroom window. As stated in (b) above the replacement hedge of native species will not provide screening until mature and fencing should be provided as an alternative. The view from the landing window would be partly restricted by the garage of No.14;
- (d) the parking area of the property to the west (Horizon) is potentially overlooked by ground floor windows in the kitchen/dining room and utility but the native boundary hedge is to be retained (and a condition could be attached to ensure its retention);
- (e) although the height of the gable facing the garden of No.15 has not been reduced, the width has been reduced by 1.5 metres making it a less dominant and oppressive feature when viewed from No. 15. Although the side window on the rear extension of No15 is only 4m from the gable of the proposed house, it is a secondary window;
- (f) the provision of two on-site parking spaces for both No15 and the proposed house, the removal of the hedge from the front of No.15, the deletion of the original proposal for a fence along the north west side of parking spaces, and method statement for construction phase should alleviate any potential problems over access and road safety;

5.16 It is therefore considered that, subject to the attachment of appropriate conditions(including removal of permitted development rights for extensions, curtilage buildings and additional windows) the revised proposal has satisfactorily addressed the issues relating to the living conditions of adjacent residential occupiers raised in connection with the earlier applications.

5.17 With regard to the impact on the character and quality of the residential area:

- 1. the footprint of the proposed house (approximately 93 square metres) is similar to other houses in the cul-de-sac. There are a wide range of plot sizes for the existing houses with plot sizes of the proposed house and the reduced curtilage of No.15 (both slightly over 400 square metres) being at the smaller end of the range;
- 2. the key feature of the character of the cul-de-sac, which is a visually contained unit, is the simplicity, uniformity and symmetry of the existing semi-detached bungalows (most of which have had dormers, garages or extensions added in line with the existing character). The height and

footprint of the proposed dwelling have now been reduced in scale from the original proposals and the design revised so that the building now substantially matches the other properties in the cul-de-sac. As the scale of the proposed building is similar to existing buildings, the ridge height is midway between that of Nos 14 and 15, and the building is set back from the building line, it does not intrude into the streetscape and does not therefore significantly affect the character of the area;

3. provided that protective measures for the trees and hedge on the western boundary are in place during the construction phase, it is considered that they can be retained and integrated with the proposed development. The proposal to remove the tall conifer hedge on the northern boundary with No. 15 and its replacement by a hedge of native species is acceptable from a visual standpoint. However, as previously referred to, this would not provide privacy screening until mature and it is therefore considered that a substantial fence should form the boundary;

5.18 It is therefore considered that, subject to the attachment of appropriate conditions, the revised proposal has satisfactorily addressed the issues relating to the impact on the character and quality of the residential area raised as part of the earlier applications.

5.19 With regard to other issues raised by the objectors:

1. the issue of 'garden grabbing' was the subject of a recent research report which identified a particular problem in the southeast of the country and the Midlands. While the Carlisle District Local Plan does not specifically refer to 'garden grabbing', it is considered that the criteria set out in Policies H1, H2 and H9 allow appropriate control of development;
2. the Local Plan contains a wide range of objectives including the improvement /protection of the environment for existing residents, protection of the built environment and the provision of well designed houses in sustainable development locations (particularly avoiding greenfield sites). Clearly conflict can arise between these objectives and a balance has to be struck. While the Capon Hill development has a unique character, it has not been recognised as meriting inclusion in the Brampton Conservation Area, the boundary of which has recently been revised and currently runs to the north of the cul-de-sac;
3. there is no requirement for the applicant to establish a local need for a housing development within a Key Service Centre;
4. with regard to the importance of gardens as habitats, it is proposed to retain the existing deciduous trees and to plant a hedge of native species in place of the Cypress hedge on the north and east boundary.
5. the applicant has agreed to a condition restricting the use of Nos 15 and 15A Capon Hill to use as a single dwellinghouse.

Conclusion

- 5.20 On balance, therefore, it is considered that the revised proposals address the issues raised by the original submission, in relation to both the impact on the living conditions of adjacent residents and on the character of the area, and that the proposed development now accords with the provisions of the Development Plan. As there are no material considerations which indicate that it should be determined to the contrary, it will be determined in accordance with the Development Plan. It is recommended for approval subject to appropriate conditions.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 The proposal has been considered against the above. The applicant's Human Rights are respected but based on the foregoing it is not considered that any personal considerations out-weigh the harm created by the development.

7. Recommendation -

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The external walling and roofing materials to be used in the building works

hereby permitted shall be identical to those in the existing building (No15). If any other material is proposed no development shall take place until such has been approved, in writing, by the Local Planning Authority.

Reason: To ensure the works harmonise as closely as possible with the existing building and to ensure compliance with Policies CP 5 (Criteria 3) and H9 (Criteria 1) of the Carlisle District Local Plan (2001 - 2016).

3. No development shall take place until details of the native species hedge to be planted along the north and east boundaries have been submitted to and approved by the local planning authority.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accord with Policy CP5 of the Carlisle District Local Plan. (2001 - 2016).

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP5 of the Carlisle District Local Plan. (2001 - 2016).

5. Particulars of height and materials of a fence to be erected along the north and east boundary to replace the cypress hedge shall be submitted to and approved by the local planning authority prior to the commencement of the development hereby permitted which fence shall be erected immediately following the removal of the hedge.

Reason: To ensure that the appearance of the area is not prejudiced by lack of satisfactory screening which is not carried out in a co-ordinated manner and to ensure compliance with Policies CP 5 (Criteria 5 and 7) and H9 (Criteria 2 and 3) of the Carlisle District Local Plan (2001 - 2016).

6. To protect the retained trees root protection barriers shall be erected prior to the commencement on site at a distance from the trunk as ascertained from the guidance set out in BS 5837 (Trees in relation to Construction-Recommendations)

Reason: To protect the trees in accordance with Policy CP5 (Criteria 6) of the Carlisle District Local Plan (2001 - 2016).

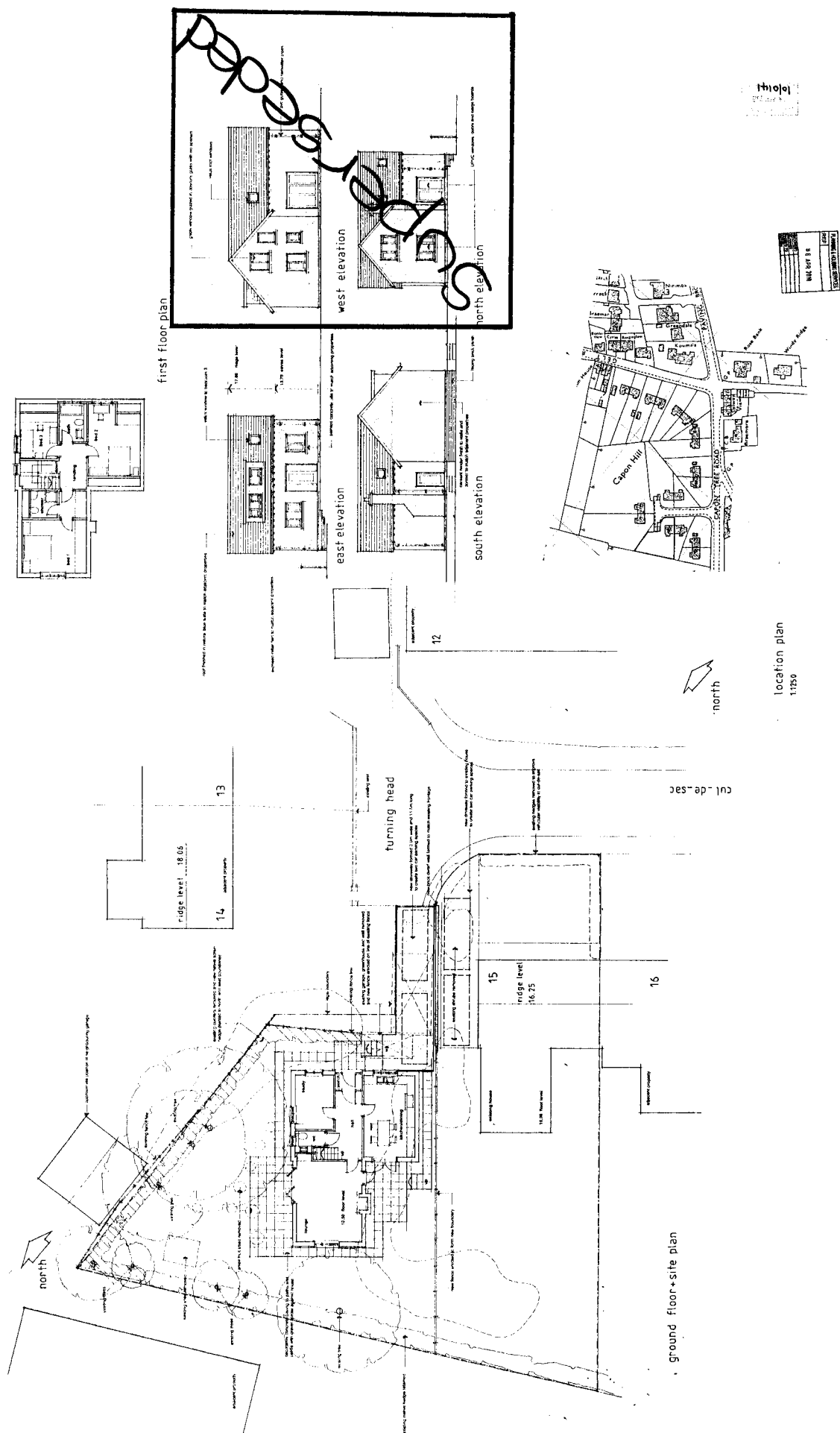
7. The specification and location of the barriers shall be agreed in writing with the local authority prior to commencement on site.
- Reason:** To protect the trees in accordance with Policy CP5 (Criteria 6) of the Carlisle District Local Plan (2001 - 2016).
8. The procedures to be adopted during the construction phase shall be those specified in the Design and Access Statement submitted with the planning application and dated February 2010.
- Reason:** To protect residential amenity in accordance with the objectives of Policies CP5 (Criteria 5) and H9 (Criteria 2) of the Carlisle District Local Plan (2001 - 2016).
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) there shall be no enlargement or external alterations to the dwelling to be erected in accordance with this permission, within the meaning of Schedule 2 Part (1) of these Orders, without the written approval of the local planning authority.
- Reason:** To ensure that the character and attractive appearance of the buildings is not harmed by inappropriate alterations and/or extensions and that any additions which may subsequently be proposed satisfy the objectives of Policies CP 5 (Criteria 1 and 5) and H9 (Criteria 1 and 2) of the Carlisle District Local Plan (2001 - 2016).
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows shall be inserted above the ground floor on the south or west elevations without the prior consent of the local planning authority.
- Reason:** In order to protect the privacy and amenities of residents in close proximity to the site and to ensure compliance with Policies CP 5 (Criteria 5) and H9 (Criteria 2) of the Carlisle District Local Plan (2001 - 2016).
11. No development approved by this permission shall be commenced until a scheme for the disposal of surface water drainage has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.
- Reason:** To ensure a satisfactory means of surface water disposal and in accord with Policy CP 12 of the Cumbria and Lake District Joint Structure Plan and Policy E22 of the of the Carlisle District Local Plan (2001 - 2016).
12. The development shall be carried out in accordance with the approved documents, hereinafter referred to as the approved scheme or any such

variation to the approved scheme as may subsequently be approved in writing by the local planning authority prior to the work being carried out.

Reason: To ensure that the development accords with the scheme approved by the local planning authority in accord with Policies C P5 and H9 of the Carlisle District Local Plan (2001 - 2016)

13. The use of Nos 15 and 15A Capon Hill shall be restricted to use as a single dwelling.

Reason: To avoid an in unacceptable intensification of use of the site to the detriment of the amenity of adjacent occupiers in accordance with the objectives of Policies CP 5 (Criteria 5) and H9 (Criteria 2) of the Carlisle District Local Plan (2001 - 2016).

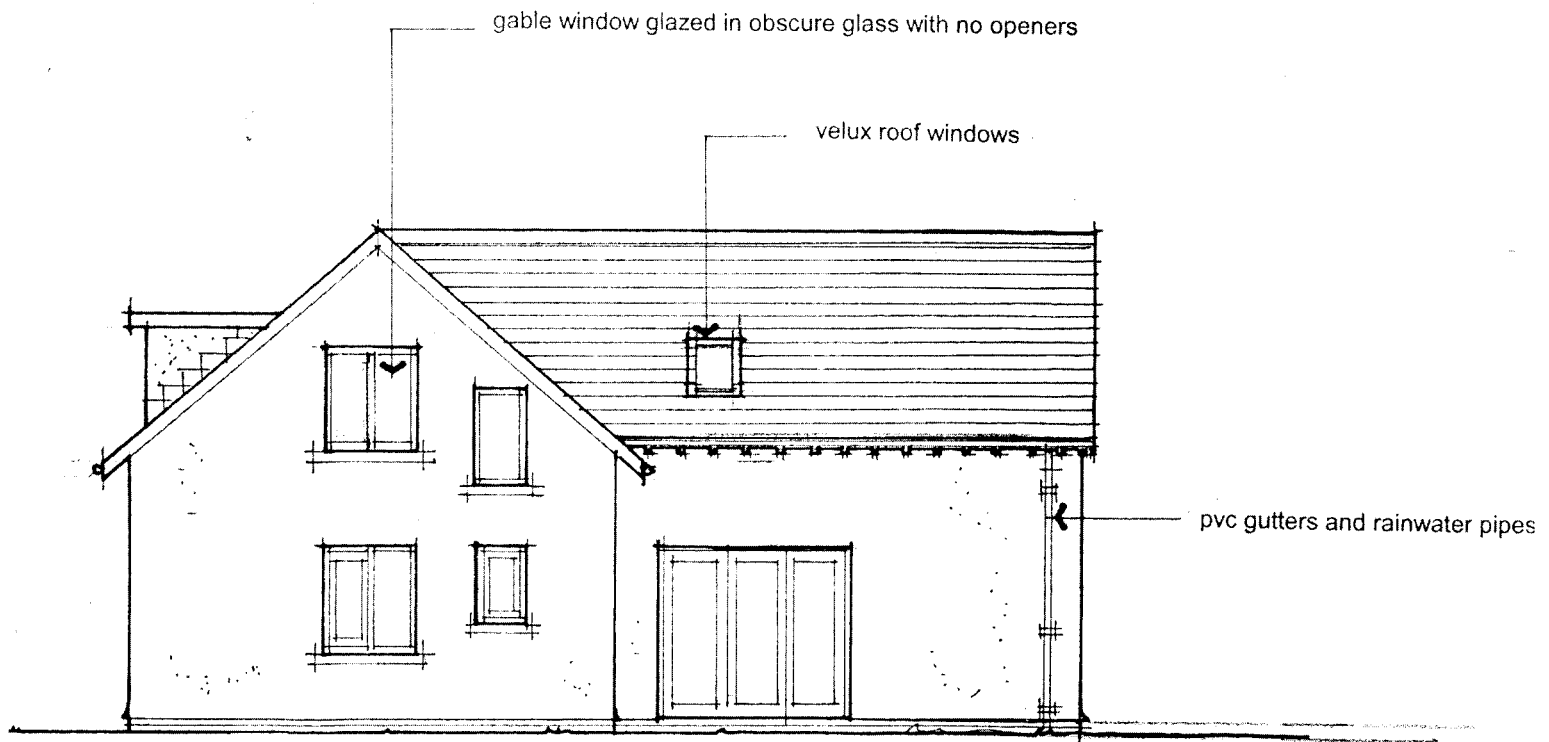


NAME	LENNARD PROPERTY LTD
ADDRESS	15 CANNON HILL, BRIMPTON, GLOUCESTER
TYPE	WATER
DATE	FLOOD PLAN, ELEVATIONS, SITE AND LOCATION PLANS
SCALE	1:100
DATE	06.01.18
NUMBER	100000

Redishier Ltd
 1, Lower Redishier, Redishier Lane, Trowbridge, Wilt BA12 8JG
 E: 01753 870046 F: 01753 804144 P: 01753 804148

5 a

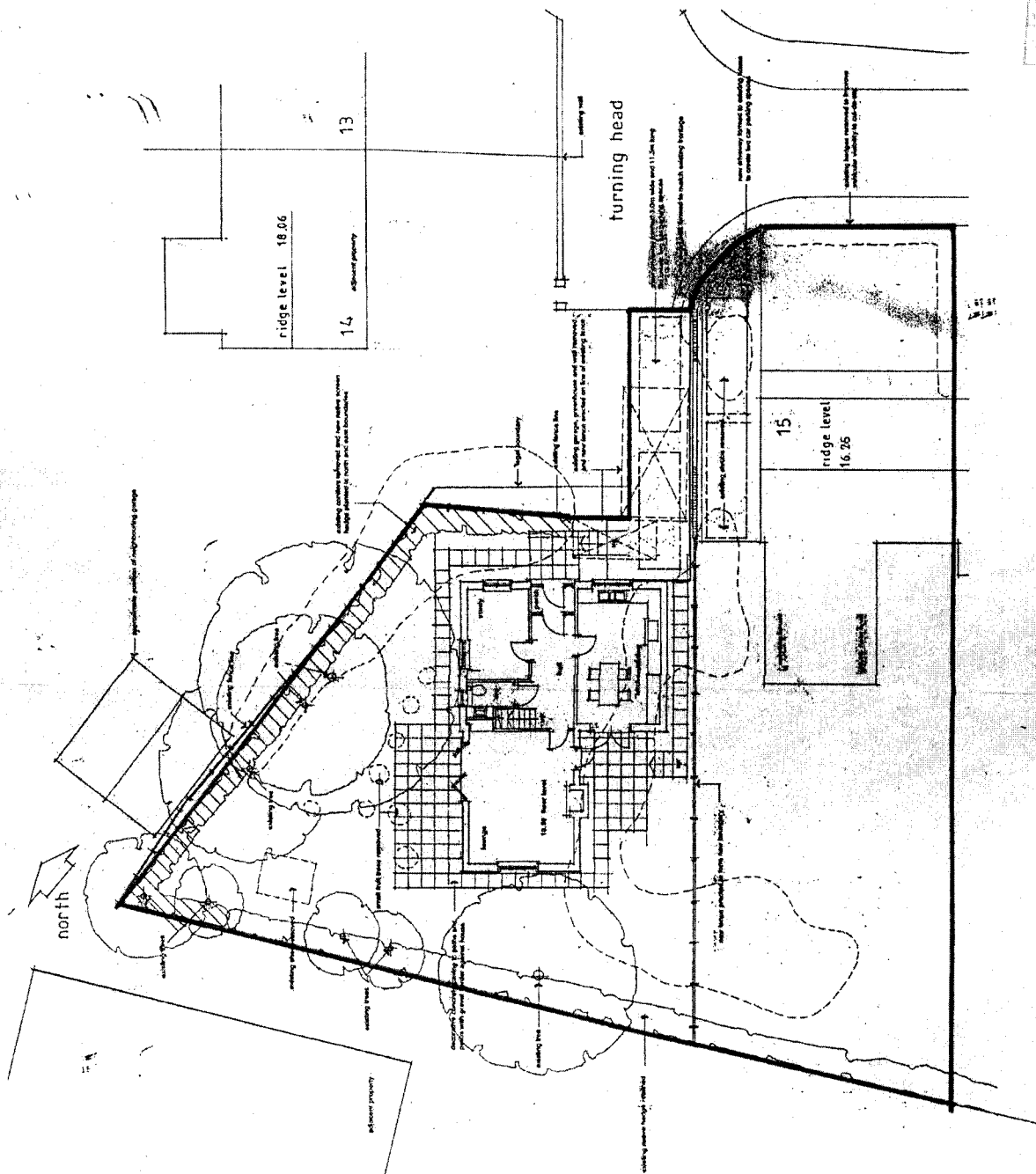
Revised Elevations



north elevation



west elevation



RECEIVED
15 FEB 2009
1010141

CLIENT: LEEHAND PROPERTIES LTD		
SITE: 15 CAPON HILL, BRAMPTON, CUMBRIA		
PROJECT: PROPOSED HOUSE		
SHEET: BLOCK PLAN		
SCALE: 1:200	DATE: 06.04.09	DRAWN: WRW
Redisher Ltd 6 Lower Redisher, Redisher Lane, Hawkshaw, Bury LANCs BL8 4HX t: 07932 070466 f: 01204 886694 e: info@redisher.co.uk		4a



ABBREVIATIONS

- EH - EYES HEIGHT
- FFL - FINISHED FLOOR LEVEL
- FH - FIRE HYDRANT
- GU - GULLY
- RH - RIDGE/ROOF HEIGHT
- TC - TRICAD CONTROL
- WV - WATER VALVE



Solutions Ltd.
Client Details Mr W R Walsh
Redisher Ltd
Hawthorn, Bury
Project Details 15, Capon Hill
Brampton
Cumbria, CA8 1QJ
Drawing Title Site Survey

Scale	Date	Drawn By
1:100@A1	21/1/2008	MW
Drawing Number	Sheet 1 of 1	Rev.
TRI-0402		0

NOTE
All Dims to be checked on site.
Walls shown on plans are not to be assumed
to be solid & should be checked on site.
7, Cherry Tree Farm, Cherry Tree, Broomfield, Essex, S.S.16 5LQ



SCHEDULE A: Applications with Recommendation

09/0978

Item No: 03

Date of Committee: 23/04/2010

Appn Ref No:
09/0978

Applicant:
Possfund Custodian
Trustees Limited

Parish:
Carlisle

Date of Receipt:
06/11/2009

Agent:
Savills

Ward:
Currock

Location:
St Nicholas Retail Park, St Nicholas Gate, St
Nicholas, Carlisle

Grid Reference:
340834 555100

Proposal: Alterations To Existing Retail Units, Part Demolition And Erection Of New
Retail Warehousing (Reserved Matters Application Pursuant To Outline
Permission 03/1362)

Amendment:

REPORT

Case Officer: Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination by Members of the Development Control Committee because objections have been received from the Conservation Area Advisory Committee.

1. Constraints and Planning Policies

Conservation Area

The proposal relates to land or premises situated within the Botchergate Conservation Area.

Gas Pipeline Safeguarding Area

The proposal relates to land or premises situated within or adjacent to the Gas Pipeline Safeguarding Area.

RSS Pol DP 1 - Spatial Principles

RSS Pol DP 3 - Promote Sustainable Economic Development

RSS Pol DP 5 - Manage Travel Demand. Reduce Need to Travel

RSS Pol DP 7 - Promote Environmental Quality

RSS Pol W 5 - Retail Development

RSS Pol CNL 2 - Sub-area Development Priorities for Cumbria

Local Plan Pol DP1 - Sustainable Development Location

Local Plan Pol DP2 - Regeneration

Local Plan Pol CP3 - Trees and Hedges on Development Sites

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol CP9 - Devel., Energy Conservation and Effic.

Local Plan CP15 - Access, Mobility and Inclusion

Local Plan Pol CP16 -Public Trans.Pedestrians & Cyclists

Local Plan Pol CP17 - Planning Out Crime

Local Plan Pol EC5 - Large Stores and Retail Warehouses

Local Plan Pol EC8 - Shopfronts

Local Plan Pol LE12 - Proposals Affecting Listed Buildings

Local Plan Pol LE19 - Conservation Areas

Local Plan Pol T1- Parking Guidelines for Development

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): no objection subject to the imposition of conditions;

Community Services - Drainage Engineer: comments awaited;

Cumbria County Council - (Archaeological Services): the comments that refer to the earlier application are still applicable.

It is therefore recommended that an archaeological investigation of the site be undertaken in advance of development and advise that these works be secured by attaching a negative condition to any consent;

Cumbria County Council (Strategic Planning Authority) Wind Energy Consultations: comments awaited;

Development Services Planning & Housing Services - Access Officer: comments awaited;

Cumbria Constabulary - Crime Prevention: Cumbria Constabulary is encouraged to note the frequent references to security and safety in the submitted Design and Access Statement and the additional Planning Statement. It is evident that the applicants have acknowledged the persistent anti-social and criminal activity that occurs on this site, which may have an adverse impact on the sustainability of their estate.

Cumbria Constabulary has carried out a brief search of police records between 1 January 2006 and 30th November 2009. St Nicholas Retail Park generated 880 calls for police service over this period – a considerable number for a relatively small area. Police were requested to deal with all manner of incidents, ranging from nuisance gathering, complaints regarding manner of driving, road traffic collisions and intruder alarm activations. There were 70 recorded offences, mainly relating to retail theft (i.e. shoplifting), malicious damage and public order.

Perimeter Security

Cumbria Constabulary notes the intention to improve the security of the rear service yard and to reinforcing the boundary with the adjacent railway. However, the proposed fencing type or specification is not indicated.

It is therefore recommend the incorporation of a welded mesh or extruded metal fence, of at least 2.4m and installed to BS 1722-14:2006. Access gates should be of similar material and secured by padlocks conforming to BS EN 12320 or an alternative security standard locking mechanism.

Consideration should be given to closing the designated vehicle access point at the end of trading each day, to prevent misuse by motor vehicles and unauthorised HGV parking.

Access Points

Cumbria Constabulary supports the proposal to dispense with the designated vehicle access points via St Nicholas Road and adjacent to Halfords unit. This measure shall prevent motor vehicles short-cutting across the site to avoid congestion. The profusion of access points is continually exploited by persons involved in the misuse of motor vehicles on the site.

Car Parking

The intention to re-align and rationalise the car parking provision is noted. Twelve offences relate to offences against motor vehicles. The developer must reduce the opportunities for vehicle crime occurring, otherwise potential customers will be discouraged from visiting the site. Cumbria Constabulary would be pleased to assist

the developer to participate in the Safer Parking Scheme, the national initiative to address vehicle crime. Further details can be supplied on request.

Cycle Parking

In order to support sustainable transport links, the intention to provide cycle parking on the site is noted. Unfortunately, pedal cycle theft continues to be a persistent problem across the City. Cycle parking must therefore be perceived to be safe and secure to encourage legitimate use.

The use of 'Sheffield' type stands is considered to represent best practice, in order that owners can chain or 'D-lock' the cycle frame and wheel to a substantial feature. Cycle parking must be in prominent and 'active' locations to maximise surveillance opportunities. Protection from adverse weather is desired, but the manner in which this is provided must not compromise surveillance or user reassurance.

CCTV

The DAS makes reference to a S106 Agreement for the provision and maintenance of a CCTV camera system, linking to the Local Authority scheme. However, the Planning Statement intimates that the S106 Agreement refers only to the provision and maintenance of just one camera. This matter requires clarification.

The present CCTV system (observing the exterior spaces) is reportedly constantly monitored, yet I am aware that several previous enquires made by police to acquire video evidence for various matters have been thwarted by the system not being fully operational. This situation is unacceptable and compromises the ability of the police to investigate crime. It also reflects adversely on the site owners to provide a safe and secure environment for their customers.

In this regard, it is requested that a condition be imposed on this application regarding the proposals for CCTV coverage of the external spaces of this site.

Cash Handling

The DAS gives no indication of proposals for cash handling facilities or the safe reception of Cash-in-Transit vehicles. Further clarification is sought on these issues.

Landscaping

The site shall be extensively landscaped in order to provide an aesthetically pleasing environment. The landscaping scheme must be designed in conjunction with the proposed lighting scheme and the CCTV proposals to avoid potential conflict.

The present landscaping scheme impedes CCTV views (particularly noticeable when trees are in leaf).

Security Lighting

The information supplied does not indicate the proposals for this measure.

Physical Security

With regard to the construction and refurbishment of the retail buildings, Cumbria Constabulary recommends the incorporation of exterior door (including roller shutters) and window products compliant with LPS 1175. This measure is intended to increase the resistance of each building shell to forced entry.

It is also recommended that each unit shall be fitted with an Intruder Alarm System, conforming to EN 50131 (Level 2) prompting a police response;

Urban Designer (Carlisle Renaissance) formerly in Dev Services - Plng & Hsg: previous pre-application comments were made in February 2007 which broadly welcomed the proposal. As previously, these proposals offer the opportunity to improve the appearance of a portion of London Road, which it is considered the proposed demolition, refurbishment and reconstruction could achieve.

Landscaping - Additional tree planting is suggested which, along with the reconfigured units, will bring greater definition to the street. It is important however that this frontage planting is of the right species and structure and it is strongly recommended that this landscaping element is revisited to provide the maximum feasible quantity of structural avenue tree planting on this frontage. The Council's adopted Urban Design & Public Realm Framework SPD suggests that in the Botchergate/London Road area this planting should be boulevard in character with an appropriate urban scale. It is suggested that off-site landscaping works to the east of London Road should be secured to compliment those on the western retail park frontage. The need for new planting relates in particular to alongside Unit 8 and to the eastern side of London Road where there are opportunities for the pit-planting of street trees in accordance with the UD&PRF SPD. Structural planting will make a far greater contribution to setting of the retail park than shrubs etc and existing inappropriate landscaping such as the grass verge to the south eastern perimeter of the site could usefully be eliminated in favour of avenue tree planting/perennial planting an/or hard landscaping. The level of detail in both the landscaping plan and the design statement makes it unclear as to how these elements will be tackled.

Existing Service Yard – This service yard is currently softened by existing tree planting. They impact positively on the appearance of Carlisle as approached via rail. It is strongly recommended that their retention is secured, or where this is not possible because of revised layout, substitutes are provided within the service area.

Pedestrian movement around and through the site – The existing crossing at the entrance to the site off London Rd observes the pedestrian desire line. The proposed crossing dictates that the pedestrian enters a chicane of guard-railing. As evidenced at the B&Q retail park further south on London Road, this results in a completely inadequate pedestrian environment where the layout is dictated solely by the needs of the private automobile. The crossing here should be revised to create a crossing that is convenient for the pedestrian, and which is free from pedestrian barriers. The adjacent crossing over London Road, which has been highlighted in relation to the earlier scheme as again requiring pedestrians to take a convoluted route while constrained behind guardrails, could also usefully be revised via off-site contributions arising from this proposal.

In conclusion the proposal is broadly welcomed but strongly recommend that revisions are sought to the landscaping proposals abutting London Rd and to the pedestrian access arrangements;

Network Rail: with reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Outside Parties Engineer should be undertaken.

Security of Mutual Boundary

Security of the railway boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Territory Outside Parties Engineer.

Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/ car parking area adjacent to the railway in particular to the southeast corner of the development.

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network

Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Territory Outside Parties Engineer at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Territory Outside Parties Engineer and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Standard lighting condition: For the first three months following the installation and operation of the new lighting an assessment will be made to check the effect of the lighting on the nearby railway line. If it is found that there is a problem with driver visibility additional screening/ cowlings or light adjustment will be employed as appropriate to alleviate the problem, to the satisfaction of the local planning authority in association with Network Rail and the train operating companies

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

It is realised that much of the above does not apply directly to the application but should be taken into consideration as appropriate. Nevertheless it gives a useful guide as to the considerations to be taken into account in relation to development adjacent to the railway. It is advised that in particular the boundary fencing, Armco barriers, method statements and lighting should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

The method statement will need to be agreed with Network Rail's Territory Outside Parties Engineer (London North Western);

Northern Gas Networks: no objection however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then United Utilities may require the promoter of these works to contact Northern Gas Networks to discuss the requirements; and

Conservation Area Advisory Committee: this scheme is a revamp of the existing structures and includes additional units which will intensify the use of the site. The Committee is disappointed by the poor design of the proposal which actually lost some of the better characteristics of the existing scheme. The new units are standard fare for any industrial estate and take no notice of the fact that the site is bounded on two of its three sides by Conservation Areas. One of these is the Settle to Carlisle Conservation Area, recently named as the second best railway line in the world, and this route into the City deserves to be taken seriously. The rear elevations and the treatment of the rear boundaries need to be done in a way that improves and enhances this part of the Conservation Area. This is an opportunity to enhance the experience of visitors coming into Carlisle on this line and it should not be wasted. The rear will presumably be used for storage, refuse and a compactor. All of this needs to be screened properly from the Railway Line and the St Nicholas Viaduct.

In addition it is considered that the opportunity to improve the London Road route into Carlisle is also being lost. The new units replacing Halfords and the Tyre Distributor consisted of flat, bland elevations that created a negative impact and were no better than the existing and some elements were actually worse. These should either be redesigned or removed from the scheme and left as car parking.

Further comments received on 1st March 2010 read as follows:

The Committee felt that the architectural treatment of the existing units and the proposed new units was woefully inadequate and the impact of the scheme on the listed buildings on Woodrouffe Terrace, on the listed Railway Inn and on the character of the two adjoining Conservation Areas will be seriously damaging. The size, scale, height and appearance of Unit 7 will significantly harm the character and appearance of the listed buildings on Woodrouffe Terrace. Similar damage will be the result of siting the proposed Unit 9 against the Railway Inn. The only description for Unit 10 is hideous, with no saving graces and its position close to the main road that is the principal entrance to Carlisle from the south would be to create an eyesore at this entrance to the City and the Botchergate Conservation Area. Despite the age and condition of the existing buildings on the site, the solution proposed here makes the existing worth keeping.

Further comments received on 7th March 2010 read as follows:

The Committee was pleased that the proposal had been amended, partly as a result of its comments, and felt that this was an improvement on the original submission. It felt that the projecting detail at the top of the pre-fabricated elements that has been introduced works well and, by creating a shadow line, it gives these parts of the design greater depth; however, the minor alterations to the masonry elements have not created any variations in depth and the two courses of vertical blockwork does nothing to help this. It is suggested that these sections of the proposal should also have a capping detail that moulds and gives depth to these important parts of the elevational treatment.

Finally Unit 7 which faces Woodrouffe Terrace has the problem just described on the masonry, but also the height of this feature does not relate to anything. The Committee felt that this should be reduced to the height of the adjacent roof and

again given a coping detail that gives depth to the elevation. The Committee realised that this would affect the proposed recessed panel but it was felt that this could be remodelled and retained.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
1 Woodruffe Terrace	16/11/09	Undelivered
2 Woodruffe Terrace	16/11/09	
87 London Road	16/11/09	
89 London Road	16/11/09	Undelivered
91 London Road	16/11/09	
93 London Road	16/11/09	
95 London Road	16/11/09	
101 London Road	16/11/09	
111 London Road	16/11/09	Undelivered
113 London Road	16/11/09	
115 London Road	16/11/09	
117 London Road	16/11/09	Undelivered
119 London Road	16/11/09	
121 London Road	16/11/09	Undelivered
123 London Road	16/11/09	
125 London Road	16/11/09	
3 Woodruffe Terrace	16/11/09	
4 Woodruffe Terrace	16/11/09	
5 Woodruffe Terrace	16/11/09	
6 Woodruffe Terrace	16/11/09	
7 Woodruffe Terrace	16/11/09	
8 Woodruffe Terrace	16/11/09	
9 Woodruffe Terrace	16/11/09	
10 Woodruffe Terrace	16/11/09	
11 Woodruffe Terrace	16/11/09	Undelivered
12 Woodruffe Terrace	16/11/09	
47 London Road	16/11/09	Support
59 London Road	16/11/09	
61 London Road	16/11/09	
63 London Road	16/11/09	
65 London Road	16/11/09	
67 London Road	16/11/09	
69 London Road	16/11/09	
71 London Road	16/11/09	
73 London Road	16/11/09	
75 London Road	16/11/09	
77 London Road	16/11/09	
79 London Road	16/11/09	
81 London Road	16/11/09	
85 London Road	16/11/09	
Hawthorns		

- 3.1 This application has been advertised by means of three site notices, a press notice and direct notification to the occupiers of forty of the neighbouring properties. At the time of writing this report, one letter of support has been received and the issues raised are summarised as follows:

1. the plans are good and comments relating to the buildings being too modern are nonsense; and
2. the development would kick start the rejuvenation of the bottom end of Botchergate which is a embarrassing main route into the city centre.

4. Planning History

- 4.1 In 1988, planning permission was granted for the erection of a retail warehouse park with associated restaurant, car parking and landscaping.
- 4.2 Planning consent was granted in 1989 for revised access arrangements and layout for the retail warehouse park.
- 4.3 In 1996, planning permission was granted for the change of use of existing service bays to car showroom with alterations to the existing shopfront.
- 4.4 Advertisement consent was granted in 1997 for the erection of 2no. internally illuminated tenant name fascia signs, 2no. non-illuminated services fascia signs and the addition of trough lighting to existing free-standing forecourt sign.
- 4.5 In 1998, advertisement consent was granted for the erection of 2no. free standing post signs.
- 4.6 Advertisement consent was granted in 2002 for the erection of 10no. signs to replace existing corporate signage.
- 4.7 In 2006, planning permission was granted for alterations to existing retail units, part demolition and erection of new retail warehousing for the retail sale of bulky goods.
- 4.8 Advertisement consent was granted in 2007 for the erection of 2no. illuminated "6 Sheet" poster display panels.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 This application seeks Reserved Matters approval for the alterations to the existing retail units, part demolition and erection of new retail warehousing at St. Nicholas Retail Park, St. Nicholas Gate, Carlisle. The 4 hectare site is located within a Large Stores and Retail Warehouses area as identified within the Proposals Map of the Carlisle District Local Plan 2001-2016.
- 5.2 The site lies to the south-west of London Road, close to the road junction of London Road and Brook Street, to the south-east of the City Centre. The site is irregular in shape with a flat topography and is currently used as a retail

park with associated car parking to the frontage. It is bounded to the south-west by the Settle to Carlisle Railway which is also a designated Conservation Area; to the north-west by Woodrouffe Terrace which is a row of two storey Grade II Listed Buildings that are within the Botchergate Conservation Area; to the north-east by London Road; and to the south-east by the Railway Inn which is a vacant two storey Grade II Listed public house.

- 5.3 London Road is the main thoroughfare into the City Centre from the south and opposite the application site are several commercial premises that occupy the ground floor of the buildings and above which is residential accommodation. The area is largely dominated by two storey brick built properties under slate roofs.

Background

- 5.4 The application seeks reserved matters approval for the means of access, appearance, landscaping, layout and scale following the outline planning consent that was granted on 9th November 2006 under application reference 03/1362 following consideration of the application by Members of the Development Control Committee.

- 5.5 In summary the works illustrated within the Outline application consisted of:

1. Demolition of the unit occupied by National Tyres;
2. Demolition of an adjacent 'stand alone' unit within the development currently occupied by Halfords (at the most southerly part of the retail park);
3. Partial demolition of the unit at the northern end of the site which is currently occupied by MFI Ltd. to allow for a new access to the service yard from St. Nicholas Bridges to the rear. The total area of floorspace proposed to be demolished is 1908 sq. m. (gross);
4. The erection of a new, larger unit (3068 sq. m. gross) positioned in approximately the same location as the Halfords Unit;
5. The erection of a small new freestanding unit close to the main site entrance (proposed 501 sq. m. gross floorspace);
6. The erection of two new units related to the main blocks of the existing development, one a "gap" between Carpet Right and Netto (727 square metres gross); and the other at the northern end adjacent to the Woodrouffe Terrace boundary (576 square metres gross). The total floorspace represented in the above works was 4875 square metres, which represented an overall increase of 2963 square metres gross (i.e. with the demolitions of existing buildings discounted); and
7. Rationalisation of the access and circulation arrangements through the closure of the existing secondary access from London Road. The rear access from St. Nicholas Bridge was shown to become solely a service access, with no route through the site between the two entrances.

Proposal

- 5.6 The retail park has been established for some twenty one years and was a re-development of the former Cowans Sheldon works. It presently comprises 6

units including Burger King situated close to the London Road frontage. Adjacent to the existing complex, towards the southern end of the street frontage, is a building which pre-dates the re-development and was not included within the site of that application. It was last occupied by National Tyres Ltd. This building was incorporated into the outline application and is within the current application site. It is proposed to demolish that building and redevelop its site and to undertake other works.

- 5.7 The Reserved Matters application follows the indicative drawings submitted as part of the outline planning consent in terms of layout and scale. The application proposes the demolition of two of the existing units, namely the building formerly occupied by National Tyres Ltd and the building currently occupied by Halfords, together with the partial demolition of the building formerly occupied by MFI.
- 5.8 A larger replacement building would then be constructed on the site of the Halfords building. The two storey building would project forward of the existing Halford's building and extend close to the site boundary with London Road but would be set back behind the front elevation of the Railway Inn. Its principal elevation would be relocated to would face north-west i.e. into the retail park. The applicant considers that an active frontage would be formed facing London Road. The building would be constructed from flat and profile metal sheeting together with curtain wall glazing and would incorporate a flat roof with coping detail and recessed panels in the elevations. The buildings would be clad with terracotta cladding panels, flat and profiled metal cladding and glazing panels.
- 5.9 A new retail unit would be constructed between the buildings currently occupied by Carpet Right and Netto. A further retail unit would be constructed adjacent to the north-west elevation of the former MFI building, close to the boundary with Woodruffe Terrace. The former National Tyres building would be demolished and a replacement building constructed as a frontage building to London Road but relocated to the north-west. These new buildings would be constructed from materials that would match those proposed on the new unit to be formed on the current Halfords site.
- 5.10 The existing vehicular entrance in the south-east corner close to Halfords would be closed. There would only be one vehicular entrance that would serve the site and that would be the existing one located centrally in the retail park's frontage that leads onto London Road. This is a staggered junction opposite Brook Street and as part of the outline application, a S106 Agreement was signed that provides finances to upgrade this junction to a signalised junction. The vehicular entrance to the rear leading on to St. Nicholas Bridges would remain but would only be accessible for delivery vehicles accessing the service area to the rear.
- 5.11 The parking area within the site would be upgraded and remodelled and the development would include additional landscaping. A total of 320 parking spaces would be provided including 22 spaces for disabled persons along with 5 spaces for motorcycle provision.

- 5.12 All of the foregoing is in accordance with the indicative drawings submitted and approved as part of the outline application. As part of that application, the developers showed that the existing buildings would remain unaltered; however, as part of the current proposal the submitted drawings illustrate that these buildings would be refurbished and re-clad using materials consistent with the proposed new units.
- 5.13 Following negotiation with Officers, the applicant has submitted revised drawings that attempt to address the concerns previously raised by Members. In essence, these comprise:
1. The revised elevations utilise terracotta cladding with flat metal panels;
 2. Unit 10 would be set within the car park and further animated with glazing and terracotta;
 3. The inclusion of deep soffits within the eaves treatment of the units;
 4. The signage zones to the front of the retail units have been lowered in height; and
 5. The frontage landscaping would be planted with a controlled tree planting grid to create a 'boulevard' style approach along London Road.
- 5.14 The relevant planning policies against which the application is required to be assessed are Policies DP1, DP3, DP5, DP7, W5 and CNL2 of the North West Regional Spatial Strategy to 2021 and Policies DP1, DP2, CP3, CP5, CP6, CP9, CP15, CP16, CP17, EC5, EC8, LE12, LE19 and T1 of the Carlisle District Local Plan 2001-2016. It is considered that there are eight main planning issues raised by this proposal.

Assessment

1. The Principle Of Development
- 5.15 The site is within a Large Stores and Retail Warehouses area and Policy EC5 of the Carlisle District Local Plan 2001-2016 is appropriate. This Policy states that proposals for large stores and retail warehouses with large adjacent customer car parks will not be permitted except on sites allocated in this Plan. Furthermore, Policy DP1 of the Local Plan requires that development proposals should enhance the overall quality of life within Cumbria through the promotion of sustainable development that seeks to protect the environment, ensure prudent use of resources and maintain social progress and economic growth.
- 5.16 The supporting Planning Statement discusses in more detail the benefits of redeveloping the site. It is stated that the site is significantly under performing which is characterised by approximately 64% of retail floorspace being vacant. Since the outline consent was granted, two of the larger tenants on the site, MFI and Focus DIY have ceased trading and these units have been vacant for some time.
- 5.17 Condition 11 of the outline planning permission restricted the overall net increase of floor area and stated that this should not exceed 2963 square metres. The reserved matters application is compliant with this requirement.

- 5.18 The site is well related to the existing highway network and is in a location that is accessible by other modes of transport, including public transport. Specific on-site parking provision will be created which is acceptable and the principle of development does not conflict with current policy guidance.
- 5.19 To summarise, the proposal will result in net increase of 2963m² (around 32,000 ft²) of additional floorspace but this would all be for the sale of bulky goods. The remaining floorspace in the Retail Park will also be subject to the existing condition restricting sales to bulky goods, with the exception of the exemptions previously granted (e.g. Netto and Brantanos (shoes)). The amended proposal is thus considered acceptable in terms of retail planning policy.

2. Scale And Design

- 5.20 The retail park predominantly comprises a series of large retail units that face London Road but which are set back some distance from the frontage interspersed by an abundance of car parking. Within this area are two detached buildings; one is currently vacant (but was last occupied by National Tyres Ltd) while the other operates as a Burger King Drive Thru. The main row of buildings are two storeys in height and of dark brown clay facing brick construction with buff brick detailing. Some of the buildings have large two storey entrance canopies supported on brick piers constructed of matching, decorative brickwork detailing.
- 5.21 Adopted policies generally require that development is appropriate, in terms of quality, to that of the surrounding area. Proposals should, therefore, incorporate high standards of design including care in relation to siting, scale, use of materials and landscaping that respects and, where possible, enhances the distinctive character of townscape and landscape. This is reflected in Policy CP5 of the Local Plan which requires that development proposals should also harmonise with the surrounding buildings respecting their form in relation to height, scale and massing and making use of appropriate materials and detailing.
- 5.22 As previously stated, there is a range of type and scale of buildings in the locality but most notable and most dominant are the two storey brick built terraced residential properties along Brook Street, Oswald Street, Garden Street, Woodrouffe Terrace, St Nicholas Street and Lindisfarne Street. The buildings on London Road, opposite the application site, are slightly larger in scale, being three storeys. The applicant has submitted the application on the basis of the illustrative drawings that formed part of the outline application. The intention to demolish the National Tyres building, which detracts from the character of the area, would enable the reconstruction of a replacement building closer to the proposed vehicular entrance. In conjunction with the existing Burger King building, the applicant states that these buildings would form a presence and a 'gateway' to the retail park.
- 5.23 The applicant states that the height of the proposed buildings would be between 8 and 10 metres which is similar to the existing buildings. The most

prominent building would be Unit 1 which would be constructed in the south-east corner of the site. Due to the level of the site and the adjacent pavement, this building would appear to be 6.3 metres in height when viewed in conjunction with the Railway Inn public house whereas the true height of the building would be 9.3 metres. The boundary wall slopes down along London Road and would serve to reduce the overall massing of the building.

- 5.24 The proposed development would involve a suite of materials that would result in a contemporary appearance. The outline application sought to retain the brickwork on the existing buildings with modern materials used on the proposed additional development. The revised plans show the existing buildings being refurbished. The agent believes that Members' comments at the previous meeting were not supportive of an 'old and new' scheme. It is the agent's view that the refurbishment better reflects the character and appearance of the existing buildings and maintains a balance between the historical context of the site and the buildings whilst providing a contemporary and modern retail park.
- 5.25 The proposed buildings would be of a scale and design that is appropriate to modern retail park development. The site is within an inner-urban location, not a peripheral retail park and the existing buildings were designed to reflect the character and appearance of the surrounding buildings and to be sympathetic with the historic constraints and urban grain. The overall appearance of the site as proposed would, in its own terms, be distinctive in character and appearance, involving a contemporary design that would incorporate modern materials that would assist in promoting the energy efficiency of the buildings. The site is prominently located on a principal, arterial approach to the City and consequently, the development would be highly visible. It would be unreasonable to require the development to be undertaken in facing brickwork due to the financial constraints that may render the regeneration of the site unviable. The agent states that the change of materials "provides a contemporary interpretation of the surrounding buildings, which are largely constructed of traditional red masonry" and that the use of pallisters and recessed panels "creates greater depth and interest to the overall architectural treatment". In support of the relationship of the Unit and the Railway Inn, the agent states that *"the terracotta elements have been introduced to provide visual continuity with the scale and tone of the adjacent pub to the south east of the site and Woodrouffe Terrace to the north west"*. The revisions to the architectural materials would not identically match those of the surrounding but according to the agent's statement, would provide a *"contemporary interpretation of the surrounding buildings"*.
- 5.26 Members will note that the comments received from the Conservation Area Advisory Committee (CAAC) are increasingly supportive of the proposal. The latest drawings, upon which further comments are awaited, include coping on the roofs of the building. The outstanding issue as far as the CAAC is concerned, therefore, is the scale of Unit 7 and the impact on Woodrouffe Terrace.
- 5.27 The scale of the building would be comparable to the adjacent building within the retail park and whilst this would not be of domestic scale, there is

sufficient distance between the proposed building and Woodrouffe Terrace. The suite of materials proposed serve to improve the proportions of the building. The revision to the scale, design and use of architectural materials would not identically match those of the surroundings but by the same token, would not be obtrusive or detrimental to the character of the area.

3. Impact On The Character And Appearance Of The Conservation Area And Adjacent Listed Buildings

- 5.28 The Railway Inn is Grade II Listed; the St. Nicholas Arms public house to the north of the application site on the opposite side of London Road is Grade II Listed; and the properties along Woodrouffe Terrace are also Grade II Listed as is the terrace of properties at St Nicholas Street beyond. To the rear of the site is the Settle to Carlisle Conservation Area and to the north lies the Botchergate Conservation Area. The designated Conservation Areas and the Listed Buildings are important features of the City's historic environment and proper consideration should be paid to the potential impact of any development in accordance with planning policy requirements. The site is, effectively, book-ended by Listed Buildings.
- 5.29 Members will note from the consultation responses that have been received that the Council's Urban Designer is broadly happy with the proposal although his initial comments focus on the landscaping and pedestrian access arrangements with no comments on the architectural quality or appearance of the development.
- 5.30 No reference is raised in the latest submission received from the CAAC that the development would adversely affect the Settle to Carlisle Conservation Area in that it would provide an inappropriate impression to persons visiting the City.
- 5.31 The second issue initially raised by CAAC was that an *"opportunity to improve the London Road route into Carlisle is also being lost"* and that *"the new units replacing Halfords and the Tyre Distributor consisted of flat, bland elevations that created a negative impact and are no better than the existing and some elements are actually worse"*. In considering these views, it is evident that the principle of the increase in floorspace of the buildings has been accepted through the assessment of the retail capacity and the granting of the outline planning permission. The Design and Access Statement identifies that the scale of the buildings would be offset by the site levels and the use of materials to provide variation and visual interest in the London Road elevations; however, in the view of the CAAC, the combination of the scale and the use of materials in both the new and existing buildings would give rise to a development that would detract from the character of the designated Conservation Areas.
- 5.32 Although comments are awaited from CAAC regarding the latest revised drawings, no objection was received from CAAC regarding this issue in their previous comments received on 1st March 2010.
- 5.33 The Railway Inn is located immediately adjacent to the south-east boundary

of the site. The proposed development would be closer to the frontage with London Road and would have a visual impact on its setting and appearance; however, it is not uncommon to have contemporary buildings in close proximity to Listed Buildings. It would be impractical, and arguably unreasonable, to expect the new build to reflect the design and materials used in the Listed Building, particularly given the modern appearance of the existing Halfords store.

- 5.34 Woodrouffe Terrace is situated to the north-west of the application site. The terrace is separated by a 2m high brick wall and the single width highway beyond that serves the properties. The impact of development in this part of the retail park would be less severe with an extension being constructed to the gable of the former MFI building. Given the distance between the application site and these properties along with the intervening physical barrier, it is not considered that there development would adversely affect the character or setting of these Listed Buildings.

4. Effect On The Living Conditions Of The Occupiers Of Neighbouring Properties

- 5.35 Planning policies require that development proposals do not adversely affect the living conditions of occupiers of residential properties by virtue of inappropriate development, scale or visual intrusiveness. The nearest residential properties are on the eastern side of London Road above the existing shops and to the north-west in Woodrouffe Terrace which are, respectively, 22.5 metres and 27 metres from any new development. The proposal is therefore compliant with the Council's practice of securing a minimum distance of 12 metres between windows in habitable rooms and blank walls that is detailed in the draft Supplementary Planning Document "Achieving Well Designed Housing".
- 5.36 The proposed new buildings are appropriate to the overall scale of buildings within the locality. In this respect it is not considered that the proposal would be disproportionate or obtrusive and it is not considered that the occupiers of the adjacent buildings would suffer from an unreasonable loss of daylight or sunlight.

5. Traffic Issues

- 5.37 Policy T1 of the Local Plan requires that there is sufficient parking provision within the site for the relevant development. This proposal seeks to provide an overall level of 320 spaces including 22 spaces for disabled persons and 5 spaces for motorcycles.
- 5.38 The proposal seeks to utilise only one vehicular access to serve the site opposite Brook Street. This is presently a congested and difficult junction due to the volumes of traffic travelling in both directions along London Road; the presence of a filter lane from the north and south on London Road; the number of vehicles trying to cross London Road from Brook Street into the application site and visa versa; and the staggered nature of the junction. Condition 3 of the outline planning consent stipulates that works should not

commence until the main junction has been signalised. These details are formalised in a S278 Agreement with the Highway Authority.

- 5.39 The closure of the remaining vehicular entrances would reduce the vehicle movements through the site from London Road to St. Nicholas Bridges and, hence, removes the opportunity for rat-runs. The enhancements to the remaining junction would significantly improve the traffic arrangements at this location on London Road.
- 5.40 Given the surrounding road network, the bus routes and services near to the site, and the anticipated number of proposed vehicle movements, the Highway Authority has raised no objection subject to the imposition of conditions. One of these is a requirement for the applicant to submit a Travel Plan. This current application seeks reserved matters consent. No such condition was imposed with the outline planning permission and it would be unreasonable to impose such a condition as part of any consent for an application which essentially seeks to discharge the original conditions.

6. Public Access

- 5.41 The Design and Access Statement makes reference to the need for the design and layout of the buildings to meet the highest standards of accessibility and inclusion for all potential users regardless of disability, age or gender. This accords with the objectives of Policy CP15 of the Local Plan. Additional drawings are awaited at the time of writing this report showing the internal layout and consequently comments are also awaited from the Council's Access Officer.

7. Drainage Issues/Green Design

- 5.42 The design of the buildings would take into account energy efficiency and this would be achieved through the use of thermal efficient building materials, the installation of energy efficient boilers and heating systems, and the installation of energy efficient lighting systems. A portion of the water from the roof area would also be collected by a rainwater harvesting facility and re-used for irrigation purposes.
- 5.43 It is the applicant's intention to improve air leakage from the building and utilise low carbon technology, thereby reducing the overall carbon footprint of the development. In this respect, the proposal would be compliant with the objectives of Policies CP9 and CP10.

8. Crime Reduction

- 5.44 The need for this facility can be considered as a material consideration. Section 17 of the Crime and Disorder Act 1998 promotes the practice of partnership working and states:

"Without prejudice to any other obligations imposed upon it, it shall be the duty of each authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it

reasonably can to prevent crime and disorder in its area."

- 5.45 It is acknowledged that fear of crime can form the basis of a reason for refusal and in this regard Section 17 is relevant.
- 5.46 Cumbria Constabulary has raised no objection in principle to the development. The outline approval was subject to a S106 Agreement that secured funding for additional CCTV coverage of the site which is at present, a monitoring shortcoming. The supporting documents submitted by the application refer to a camera and a system of cameras and clarification is being sought as to what is actually being proposed.
- 5.47 The provision of cycle storage, improvements to the rear boundary and the creation of secure access to the service area to the rear, which is presently unrestricted, is welcomed in principle by Cumbria Constabulary. Specific details that relate to the type of boundary fencing and the use of Sheffield cycle stands that have been suggested for incorporation in the scheme have been relayed to the applicant. At the time of writing this report, no response has been received.

Conclusion

- 5.48 In overall terms, the site is highly prominent on one of the major approaches to the City and issues involved in the consideration of this proposal are balanced between the need for investment to regenerate its performance as Retail Park while ensuring that the design and materials used reflect the site's location buffered by features of the city's heritage. The retail park has been in existence for some time and the applicant's argue that its appearance reflects this. The buildings are currently largely vacant and underused and it is argued that a modern development of contemporary appearance would act as a catalyst to attract new business into the retail park. There would, clearly, be benefits to the surrounding traffic network through the closure of two of the existing vehicular accesses and the improvement of the junction with London Road through the facilitation of a signalised junction. The site would also benefit from greater security features and improved landscaping. The scale of the buildings would be appropriate and the living conditions of the occupiers of the neighbouring properties would not be adversely affected by the development.
- 5.49 In considering these proposals, an important balance has to be struck between the economic viability of regenerating the retail park and the preservation of the relationship with the character of the area. It is evident that the scheme has been revised to take better account of the character and appearance of the locality and the surrounding buildings and to address the concerns previously expressed by Members. The appearance of a development has been revised and appropriately represents and complements this sensitive site. As such, the shortcomings expressed during the consultation process relating to the previous drawings regarding the scale and aesthetic appearance of the scheme have been addressed.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

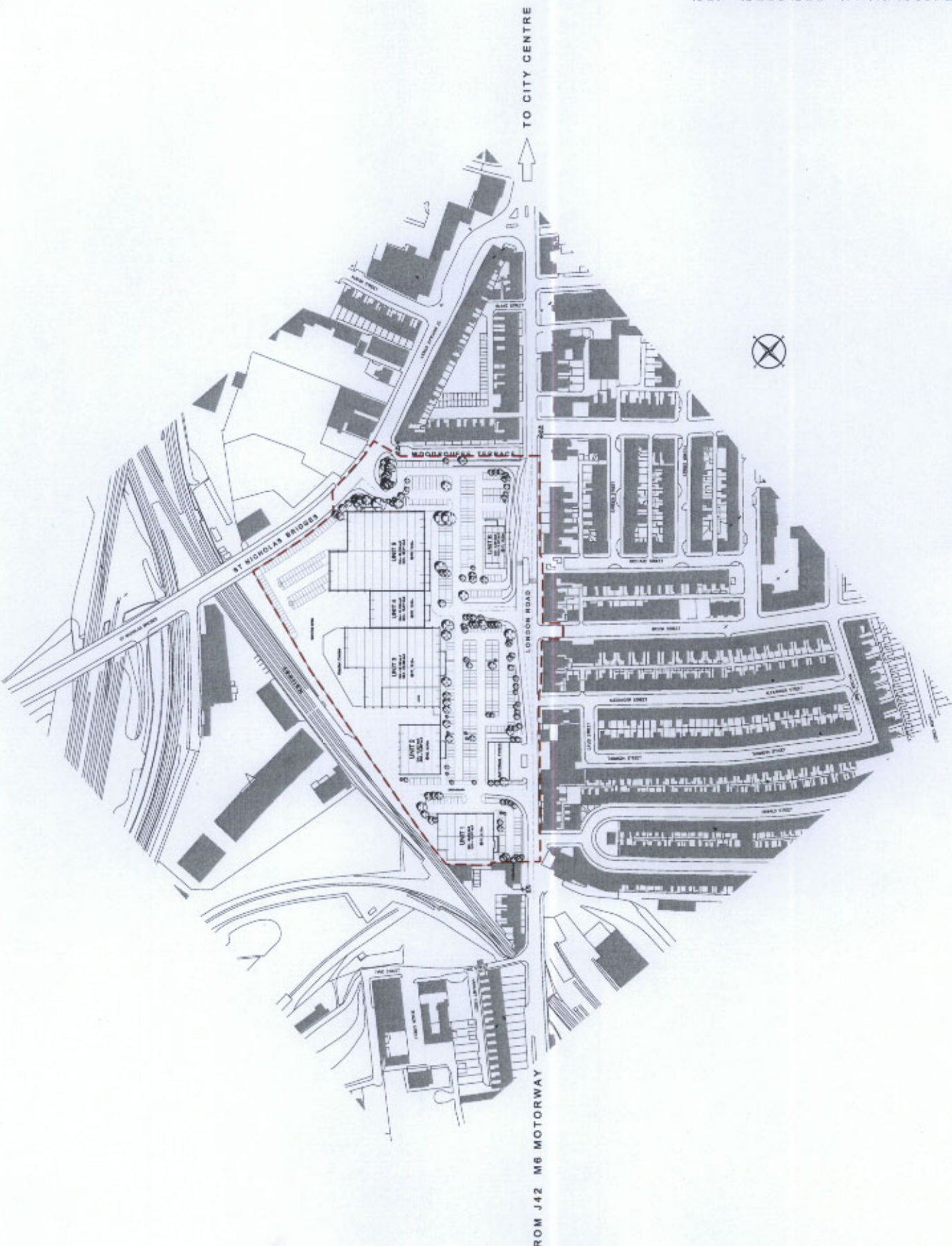
- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;

- 6.3 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. In discharge of requirements for the submission of detailed particulars of the proposed development imposed by conditions 1 and 2 attached to the outline planning consent 03/1362 to develop the site.
-

Client: POSSUMO CUSTOMER TRUSTS LIMITED		Project: ST. MICHAEL'S GATE RETAIL PARK CARLISLE	
Project: ST. MICHAEL'S GATE RETAIL PARK CARLISLE		Drawing Title: EXISTING LOCATION PLAN	
Scale: 1:1250		Date: 01/09	
Author: [Name]		Check: [Name]	
Drawn: [Name]		Reviewed: [Name]	
Approved: [Name]		Date: [Date]	



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By: Date:

PROJECT:

ST NICHOLAS GATE
RETAIL PARK
CHURCH
EXISTING
ROOF PLAN

Client:

POSSING AND CUSTODIAN
TRUSTEES LIMITED

Architect:

21 Victoria Road
London SW18 1AA
Tel: 020 8846 8846
Fax: 020 8846 8847
www.possingandcustodian.co.uk

Architect's Ref:

1520

Project Ref:

1520

Project Name:

ST NICHOLAS GATE
RETAIL PARK
CHURCH
EXISTING
ROOF PLAN

Project Date:

15/03/06

Project Status:

PL 003

Project Ref:

1520

Project Name:

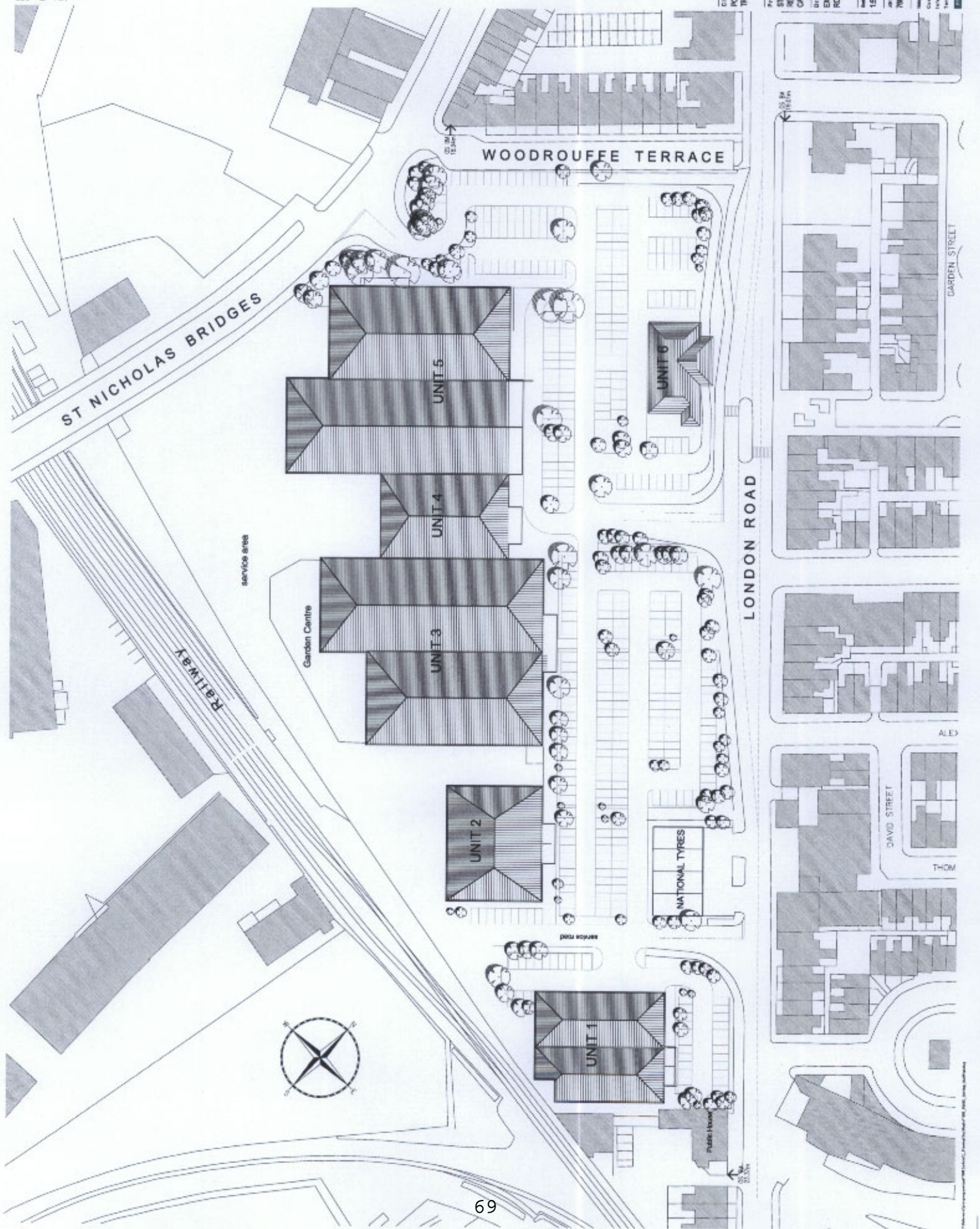
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CHURCH
EXISTING
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Project Date:

15/03/06

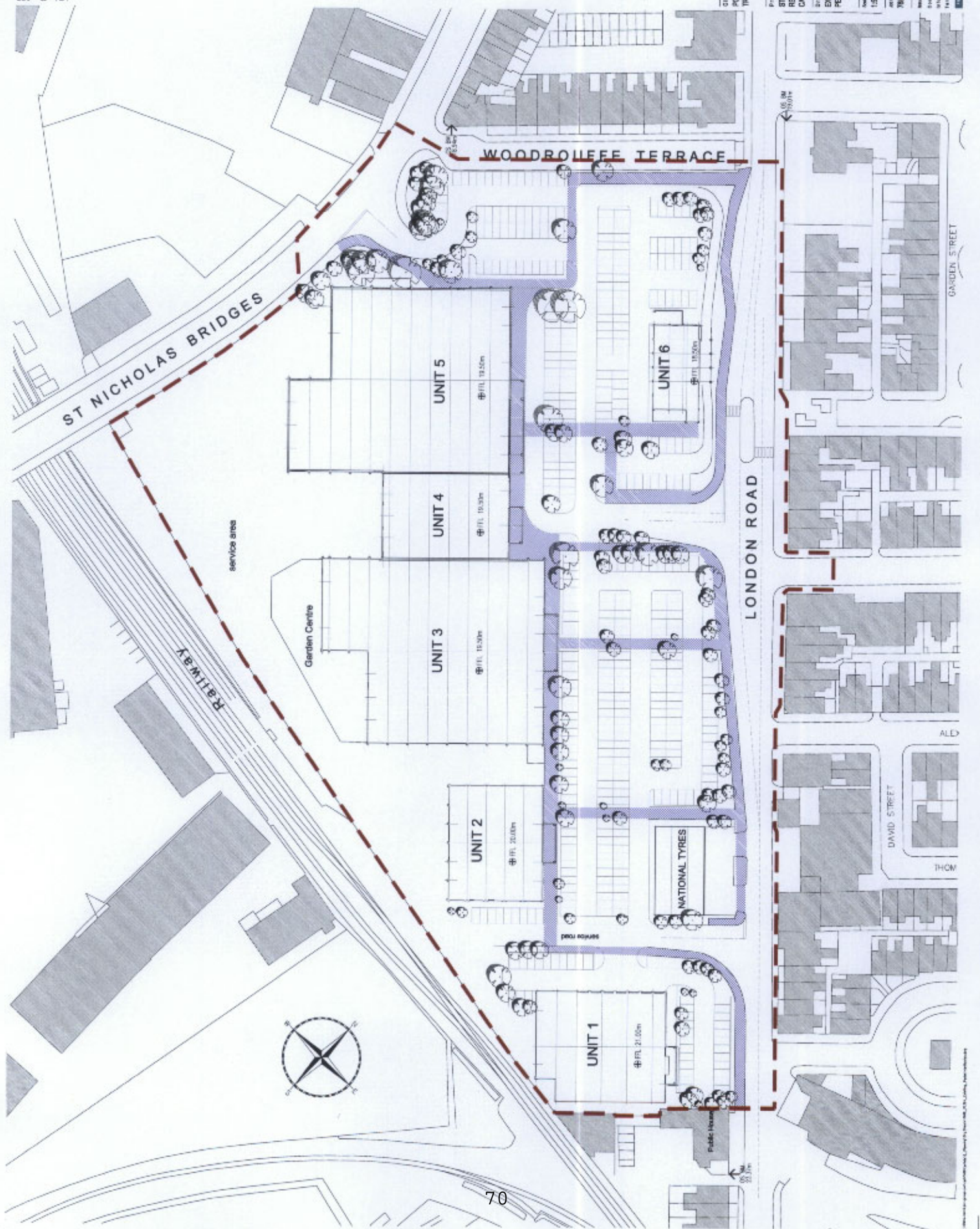
Project Status:

PL 003



These drawings are prepared for the use of the client and are not to be used for any other purpose without the written consent of the architect. The architect is not responsible for any errors or omissions in these drawings.

DATE: 10/10/10 BY: [Signature]



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RETAIL PARK		RETAIL PARK	
CARLE		CARLE	
EXISTING		EXISTING	
PEDESTRIAN ROUTES		PEDESTRIAN ROUTES	
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By: [Signature]		By: [Signature]	
For: [Signature]		For: [Signature]	
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Drawing No: 10/10/10		Drawing No: 10/10/10	
Revision: 10/10/10		Revision: 10/10/10	
Author: [Signature]		Author: [Signature]	
Checker: [Signature]		Checker: [Signature]	
Approver: [Signature]		Approver: [Signature]	
Project Manager: [Signature]		Project Manager: [Signature]	
Client: [Signature]		Client: [Signature]	

Client: POSSIDING CUSTOMER TRUSTEES LIMITED

Project: ST. NICHOLAS GATE RETAIL PARK CARLSLE

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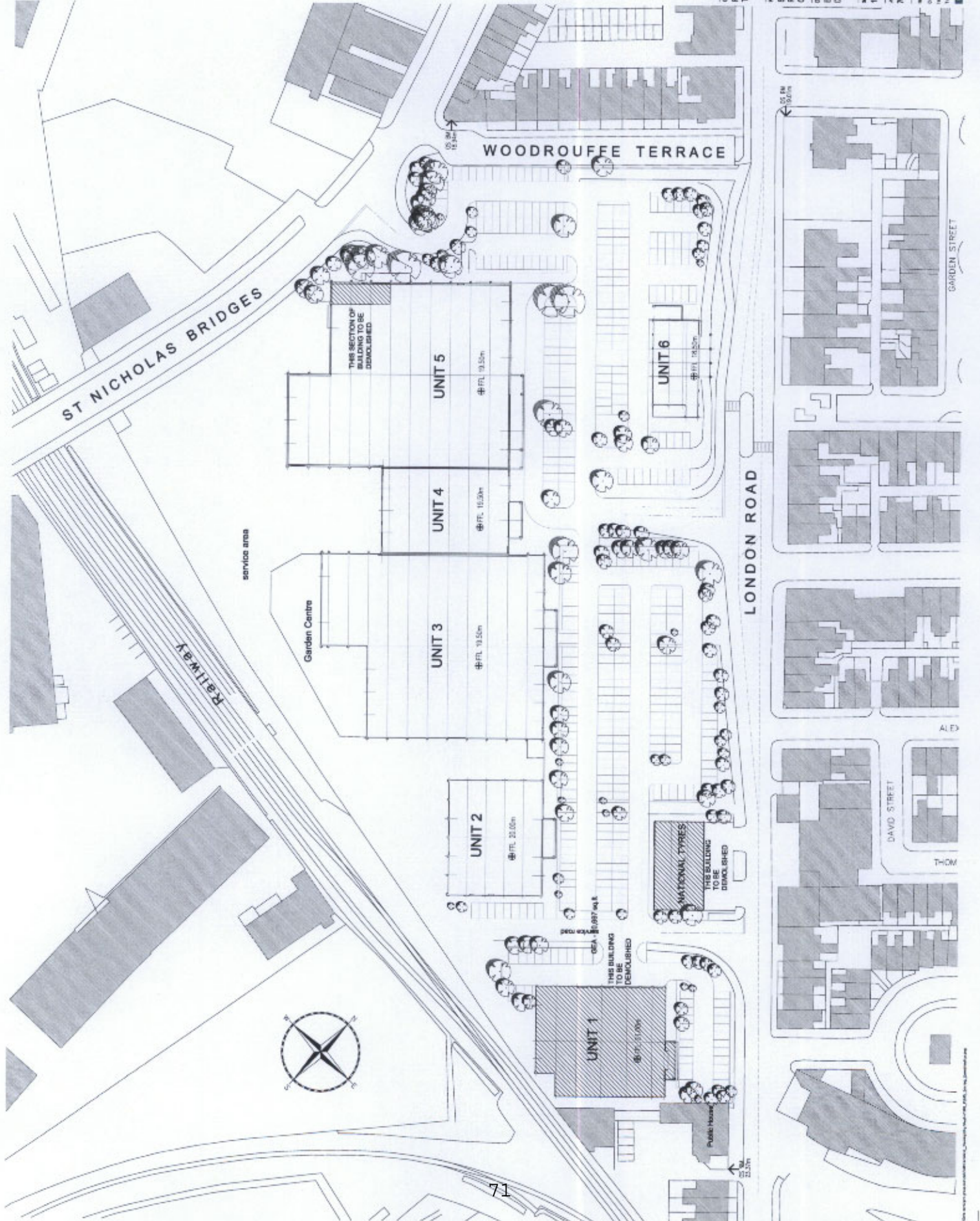
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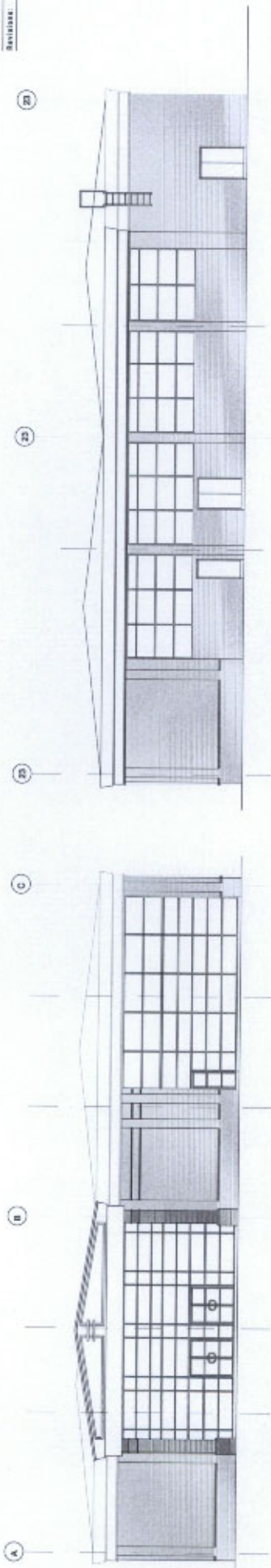
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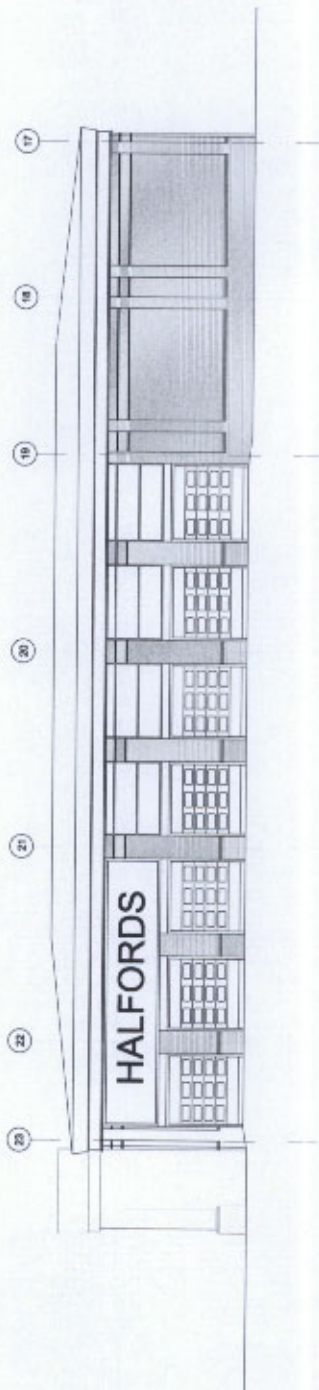
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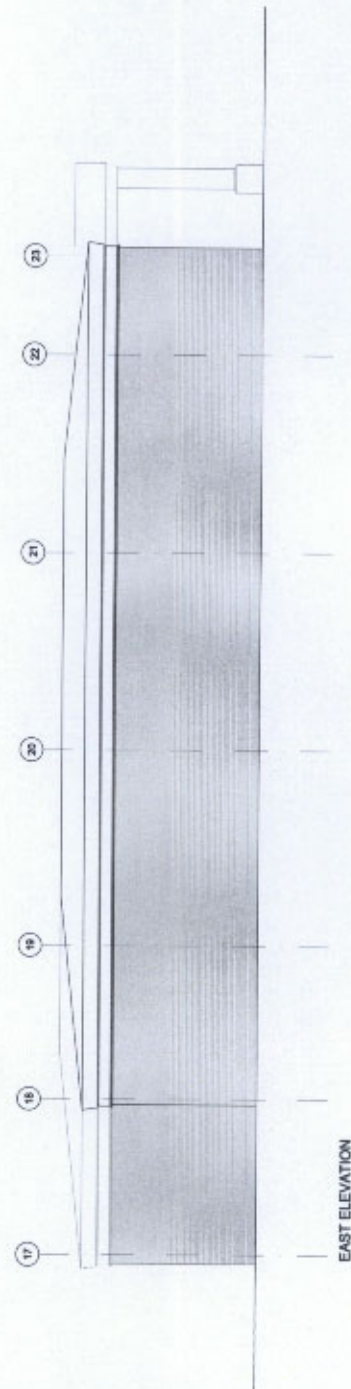


LONDON ROAD ELEVATION

RAILWAY ELEVATION

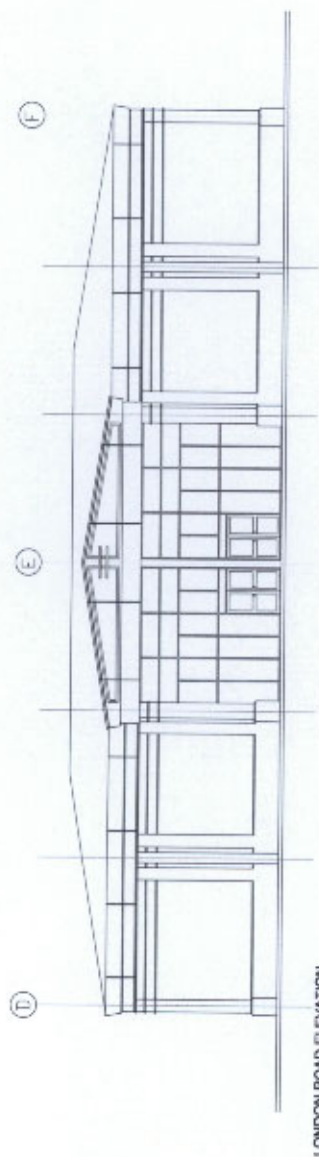


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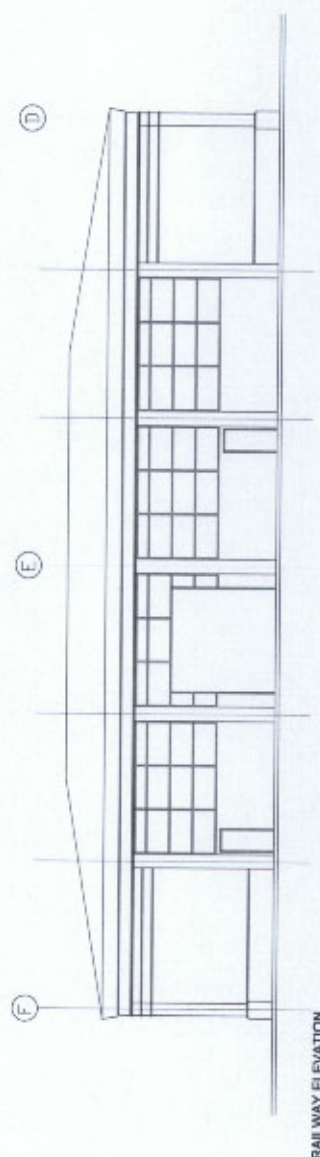


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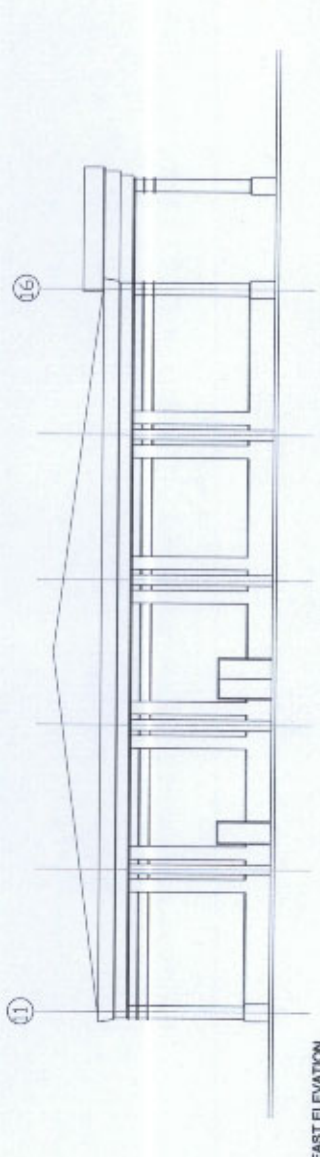
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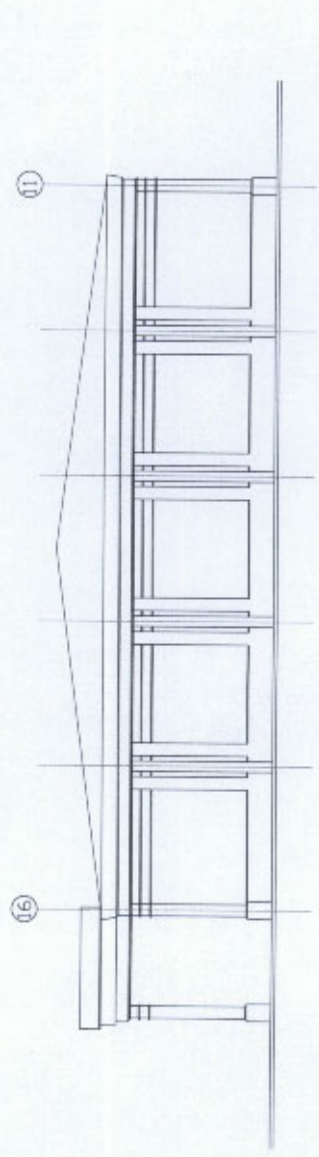
LONDON ROAD ELEVATION



RAILWAY ELEVATION

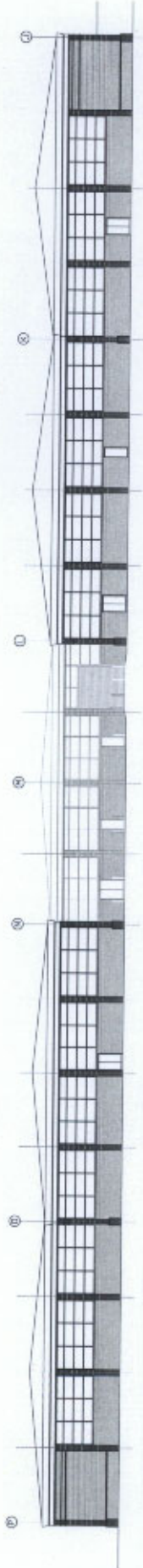


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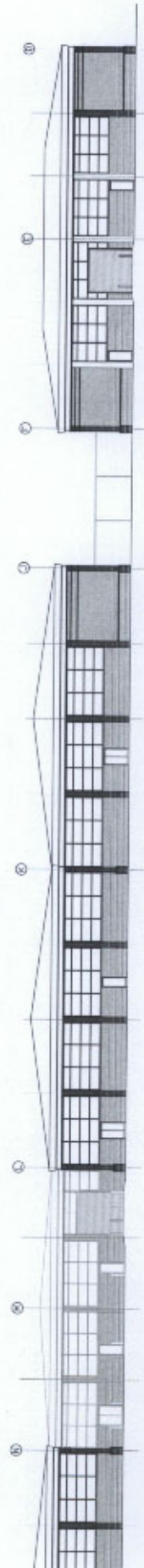


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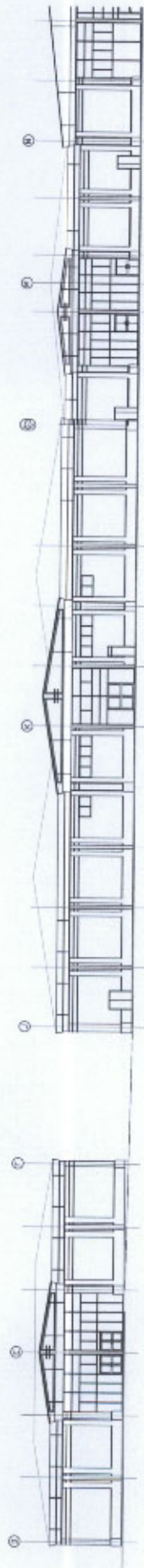
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Author: J. D. J.		Check: J. D. J.	
Drawn: J. D. J.		Reviewed: J. D. J.	
Approved: J. D. J.		Date: 01/08/2011	
Project: ST. NICHOLAS GATE RETAIL PARK CARLETON		Drawing Title: EXISTING ELEVATIONS UNIT 2	
Scale: 1:100		Date: 01/08/2011	
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Drawn: J. D. J.		Reviewed: J. D. J.	
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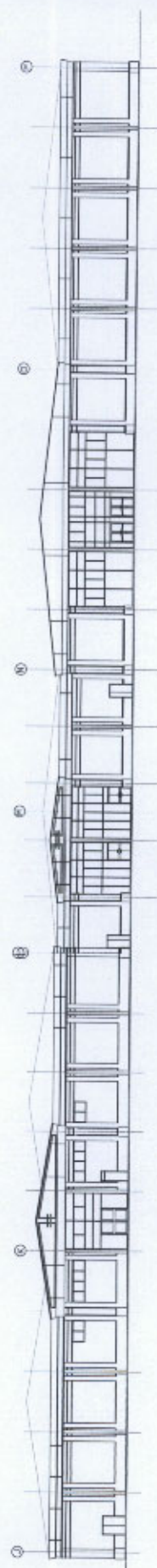
EXISTING REAR ELEVATIONS TO UNITS 3, 4 & 5.



EXISTING REAR ELEVATIONS TO UNITS 3, 4 & 5.



EXISTING FRONT ELEVATIONS TO UNITS 3, 4 & 5.



EXISTING FRONT ELEVATIONS TO UNITS 3, 4 & 5.

Client: POSSE AND CLUTCHMAN TRUSTEES LIMITED

Project: ST. MICHAEL'S GATE RETAIL PARK CARLISLE

Drawings Title: EXISTING ELEVATIONS UNITS 3, 4 & 5

Scale: 1/200

Sheet: 1/200

Drawn by: [Name]

Checked by: [Name]

Approved by: [Name]

Date: [Date]

Office: [Address]

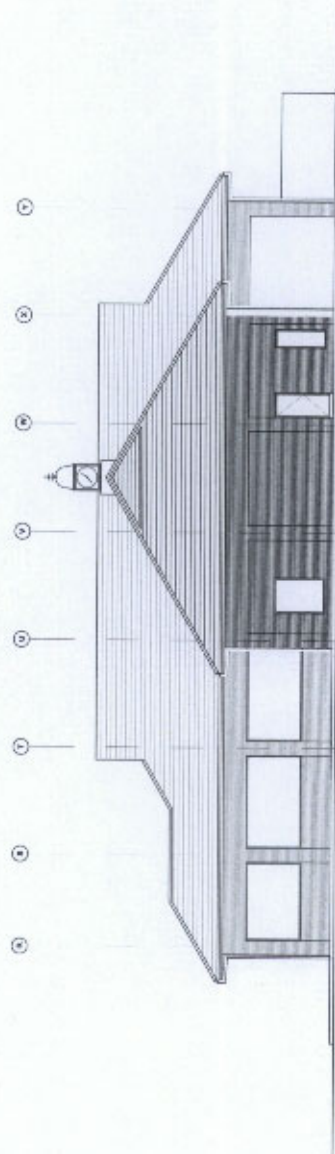
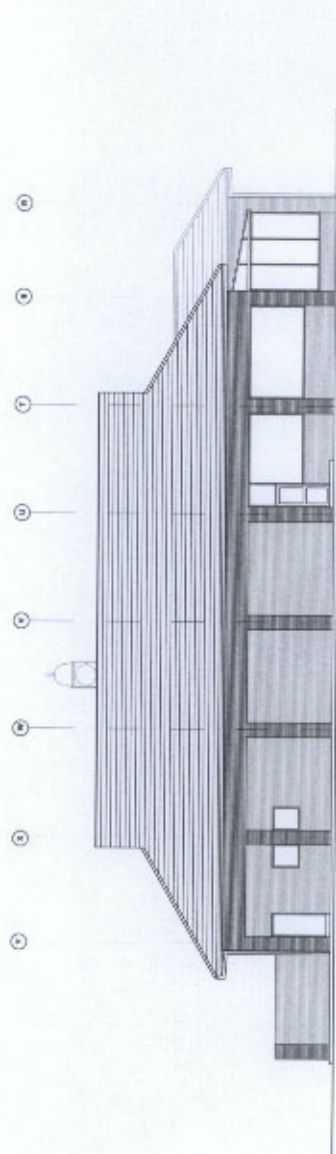
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Approved by: [Name]

Date: [Date]



Client: POSSESSING CUSTOMER TRUSTEES LIMITED

Project: ST. NICHOLAS GATE
RETAIL PARK
CARLETON

Architect: JBC
3000 Highway 101
Unit 101
St. John's, NL A1B 1X1
Tel: 709 576 1111
Fax: 709 576 1112
www.jbc.ca

Architectural
Project: ST. NICHOLAS GATE
RETAIL PARK
CARLETON

Design Title: EXISTING ELEVATIONS UNIT 6

Scale: 1:100

Sheet No: 100

Page: 100 of 100

Author: JBC

Checker: JBC

Designer: JBC

Engineer: JBC

Architect: JBC

Project: ST. NICHOLAS GATE
RETAIL PARK
CARLETON

Design Title: EXISTING ELEVATIONS UNIT 6

Scale: 1:100

Sheet No: 100

Page: 100 of 100

Author: JBC

Checker: JBC

Designer: JBC

Engineer: JBC

Architect: JBC

Project: ST. NICHOLAS GATE
RETAIL PARK
CARLETON

Design Title: EXISTING ELEVATIONS UNIT 6

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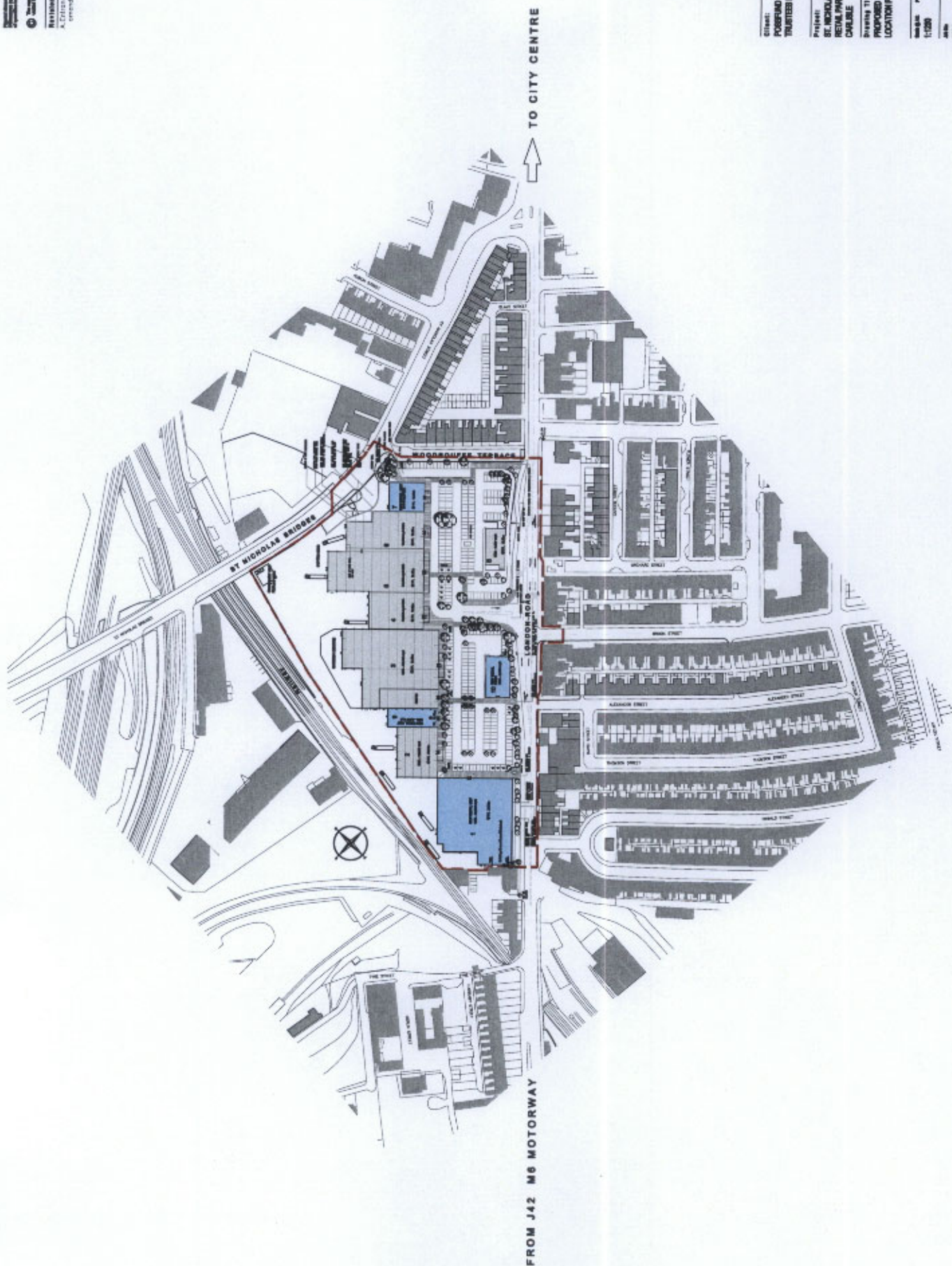
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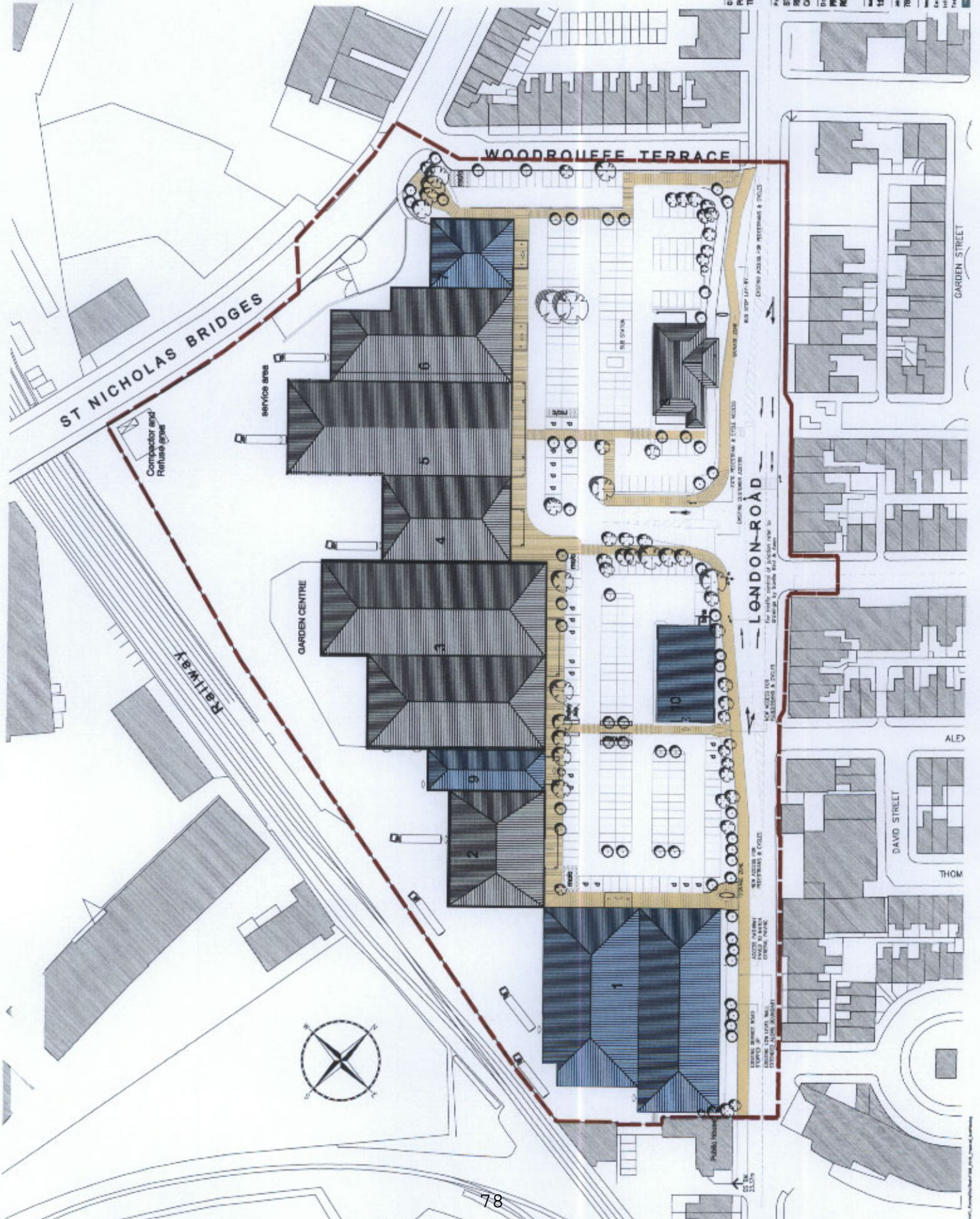
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Architect: JBC



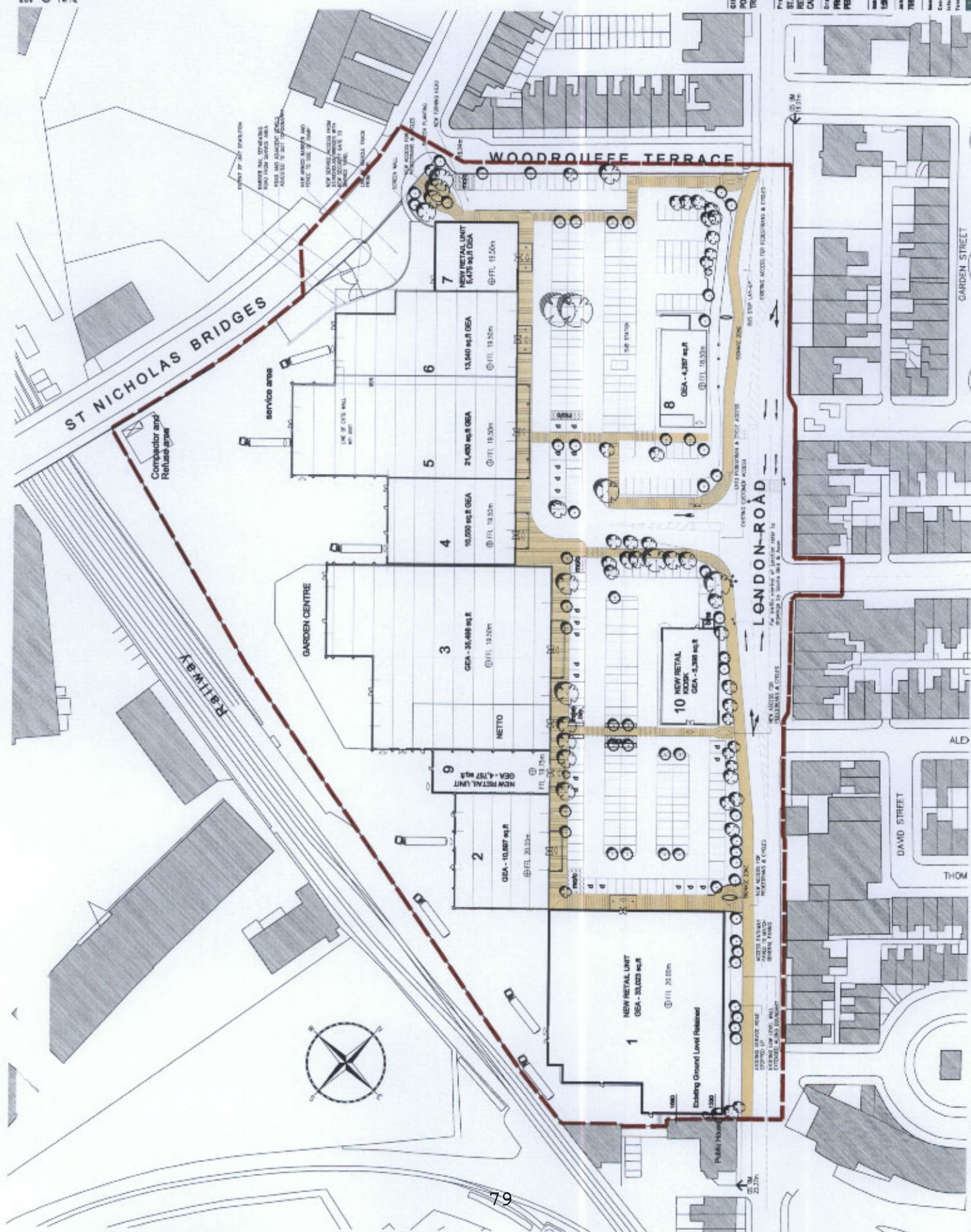
Approved for submission only. No part of this document may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying and recording, or by any information storage or retrieval system, without permission in writing from the author.

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Project Title: PROPOSED ROOF PLAN
Scale: 1:500
Date: 18.01.10
Author: J. HARRIS
Check: J. HARRIS
Drawn: J. HARRIS
Project Manager: J. HARRIS
Client: ST NICHOLAS GATE RETAIL PARK CARLEB
Project Number: 18.01.10
Project Name: PROPOSED ROOF PLAN
Project Location: ST NICHOLAS GATE RETAIL PARK CARLEB
Project Status: APPROVAL
Project Date: 18.01.10
Project Version: 1.0



Revisions:	By:	Date:
1. References to related units	HD	18.01.10
revised to original		

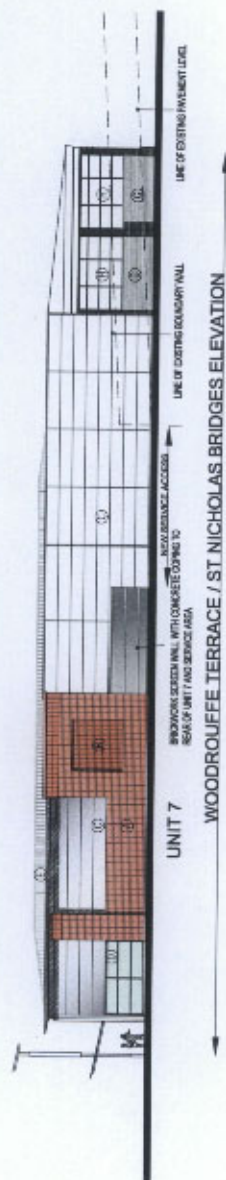
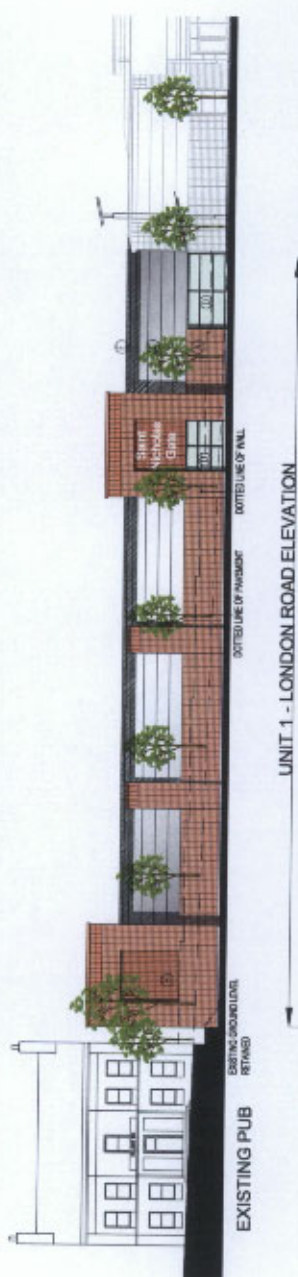
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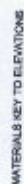


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reverted to original		
Added items to resolved units		10/18/07 10
Added items to resolved units		10/18/07 10

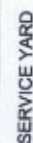
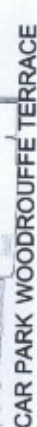
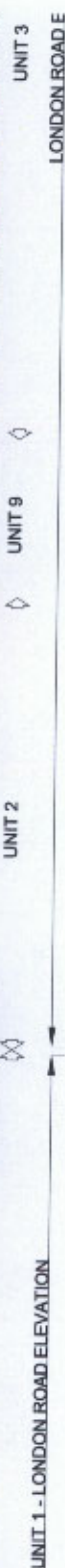
INTERVALS KEY TO RELEVANCE

- (A) Ternate coding pairs
- (B) Ternate coding pairs
- (C) Full-mold coding
- (D) Carrier wall joining
- (E) Perforated metal ball-up coding
- (F) New sprays feature
- (G) Existing Modems
- (H) Existing selective Coding

[illegible]



- (A) Terracotta cladding panels
- (B) Terracotta cladding panels
- (C) Flat metal cladding
- (D) Curtain wall glazing
- (E) Profiled metal built-up cladding
- (F) New slynge feature
- (G) Existing brickwork
- (H) Existing microline cladding

[illegible]

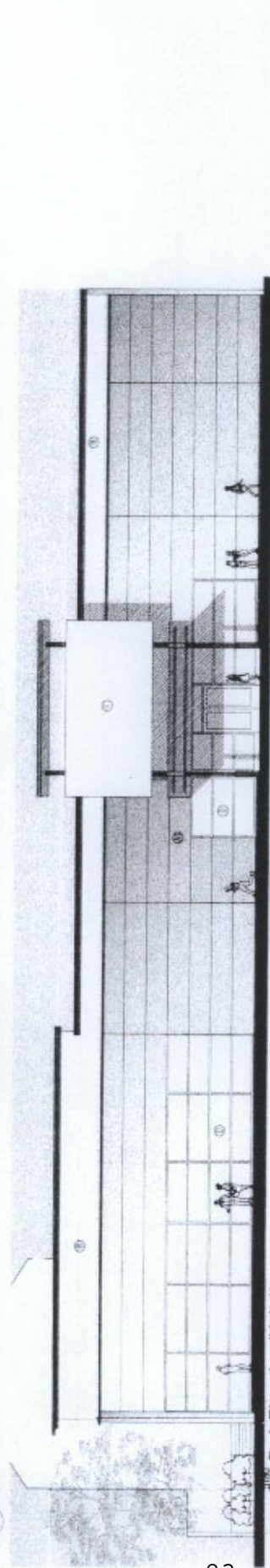
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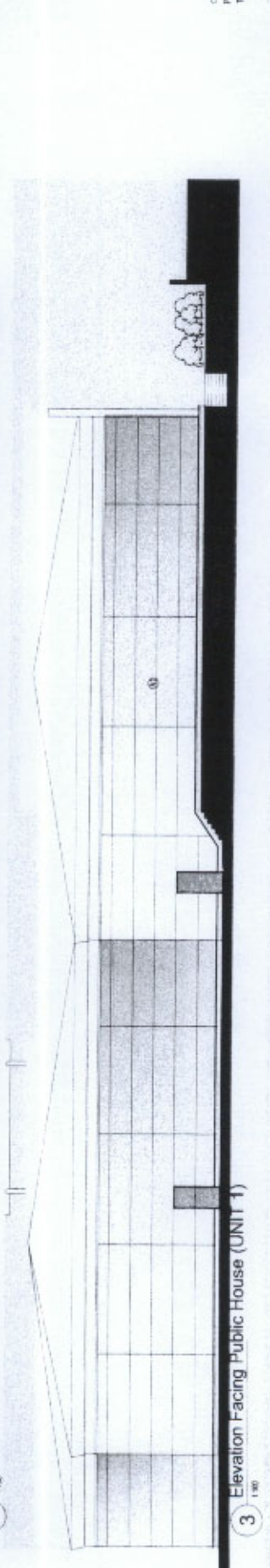
- MATERIALS TO BE USED**
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 - ② Concrete structure building frame
 - ③ Concrete structure building frame
 - ④ Concrete structure building frame
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 - ⑥ Concrete structure building frame
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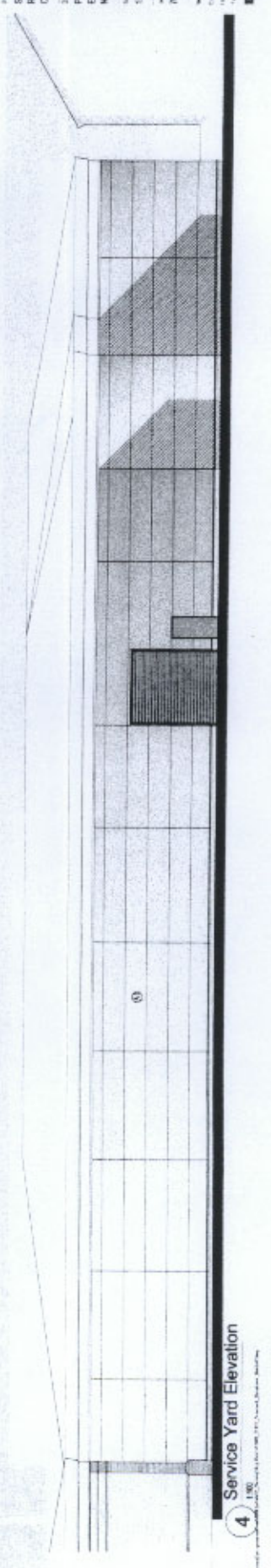
1 London Road Elevation (Unit 1)



2 Car Park Elevation (Unit 1)

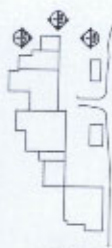


3 Elevation Facing Public House (Unit 1)



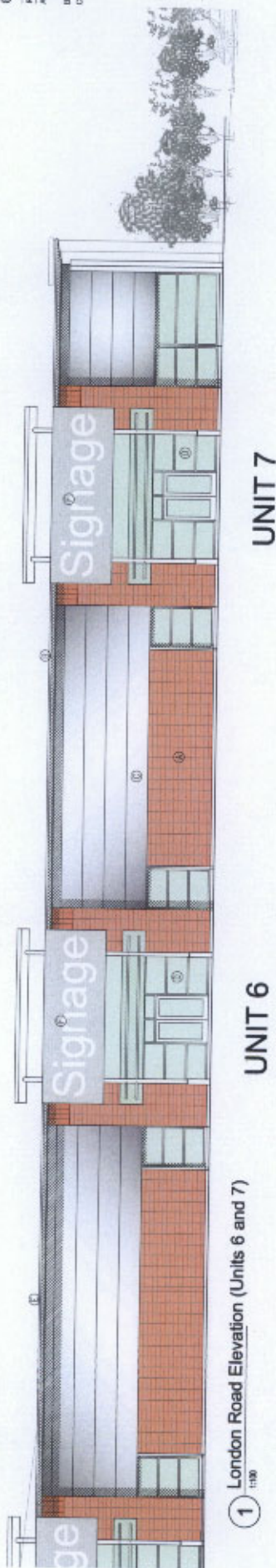
4 Service Yard Elevation

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Project: ST NICHOLAS GATE RETAIL PARK CHARLES
Trading Title: PROPOSED ELEVATIONS NEW UNIT 1
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Drawn by: [Name]
Checked by: [Name]
Approved by: [Name]
Date: [Date]



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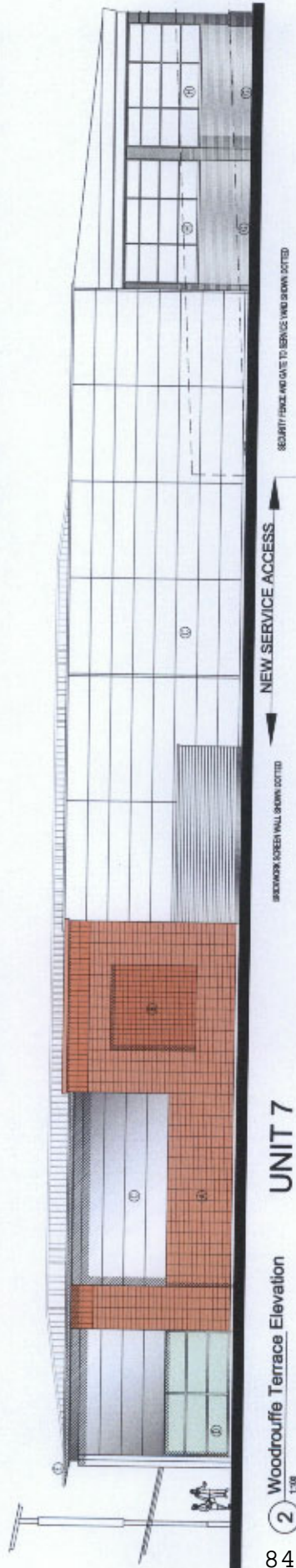
- 14. Terminals sliding joints
- 15. Terminals sliding joints
- 16. Pfd roller cladding
- 17. Curtain wall glazing
- 18. Profiled metal bulk-up cladding
- 19. New storage feature
- 20. Cladding blockwork
- 21. Existing window cladding



London Road Elevation (Units 6 and 7)

UNIT 6

UNIT 7



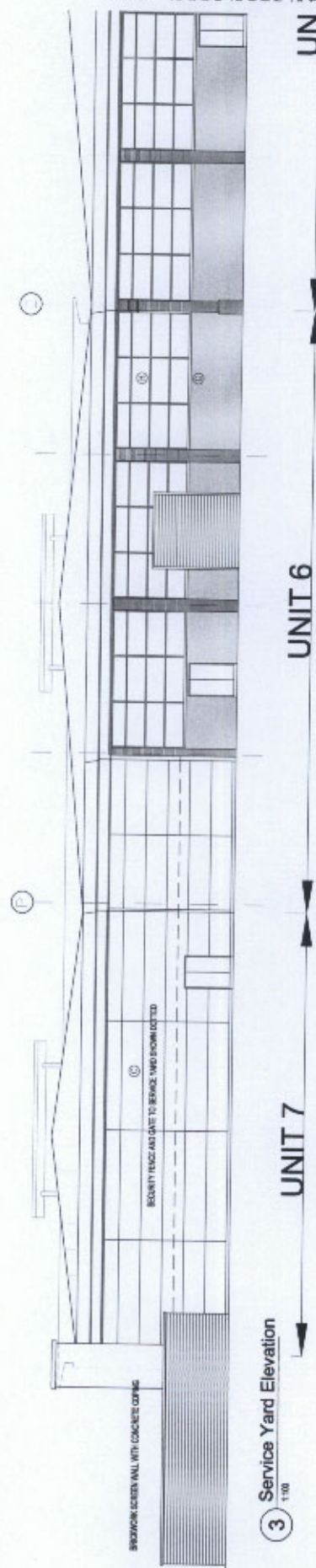
84

Woodruffe Terrace Elevation

UNIT 7

NEW SERVICE ACCESS

SECURITY FORCE AND GATE TO SERVICE YARD BROWN DOTTED



Service Yard Elevation

UNIT 7

UNIT 6

UN

Client:	POSSIBLE CUSTOMER TRUSTEES LIMITED	
	<div> <div>  </div> <div> 20 Victoria Road, Kuala Lumpur, Malaysia 50460 Tel: 603-2619 8888 Fax: 603-2619 8889 http://www.prc.com.my </div> </div>	
Project:	ST. MARY'S DATE RETAIL PARK CAUSEWAY	
	<div> <div>  </div> <div> Architectural Planning Master Design Master Planning Master Zoning Master Location </div> </div>	
Drawing Title:	<div> <div>  </div> <div> Date: 01/09/08 Scale: 1:100 HD </div> </div>	
	<div> <div>  </div> <div> Sheet: 001 of 01 Date: 01/09/08 PL 011 C </div> </div>	
<div> <div>  </div> <div> Prepared By: </div> </div>	<div> <div>  </div> <div> Checked By: </div> </div>	<div> <div>  </div> <div> Approved By: </div> </div>
<div> <div>  </div> <div> Prepared By: </div> </div>	<div> <div>  </div> <div> Checked By: </div> </div>	<div> <div>  </div> <div> Approved By: </div> </div>

- (A) Tensile sliding joints
- (B) Tensile sliding joints
- (C) Full metal casting
- (D) Cast-in-place concrete
- (E) Preformed metal half-casting
- (F) New storage tanks
- (G) Existing basements
- (H) Existing exterior cladding

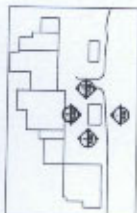
8

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© 2008 Blackwell Publishing Ltd *Journal of Internal Medicine* 263: 105–112

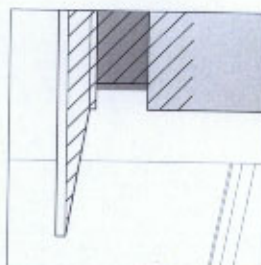
© 2000 by the American Psychological Association

Revisions:	By:	Date:
A. Fire Exit door added	HC	18.01.10
B. Terrace detail added	MAC	07.04.10

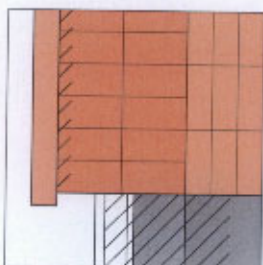


INTERVALS FOR THE F-STATISTICS

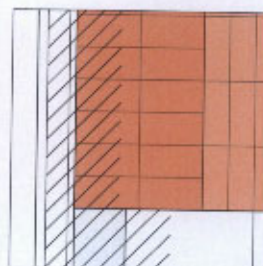
- (A) Torus-like sliding joints
 - (B) Torus-like sliding joints
 - (C) Flat metal sliding
 - (D) Cylindrical and jacking
 - (E) Profiled metal ball-up sliding
- 1 New design feature
 2 Existing mechanism
 3 Existing innovative Cudding



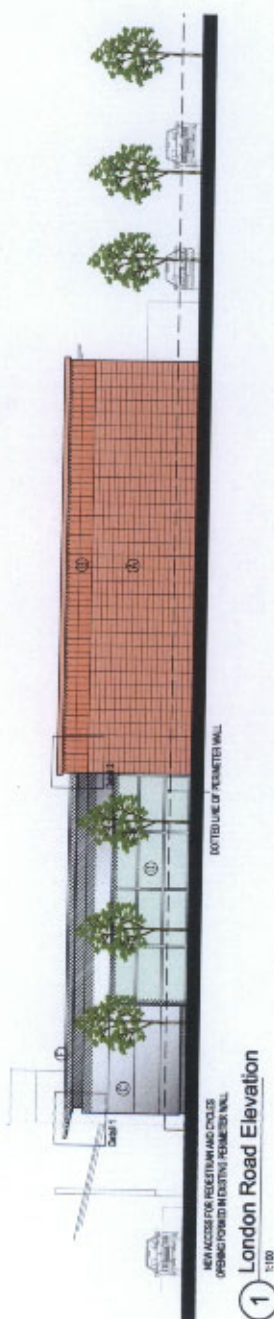
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25



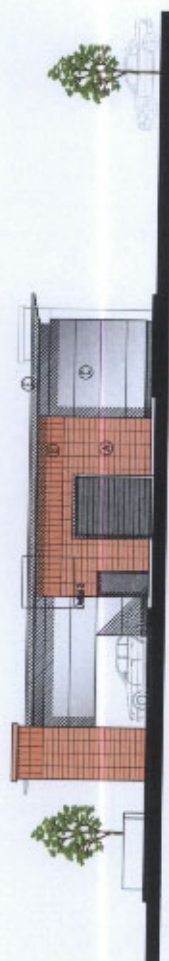
12



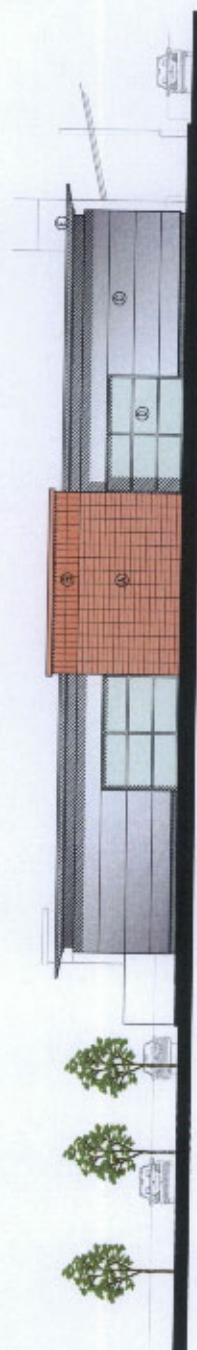
London Road Elevation



Entrance Elevation facing Unit 1



Side Elevation



War Park Elevation

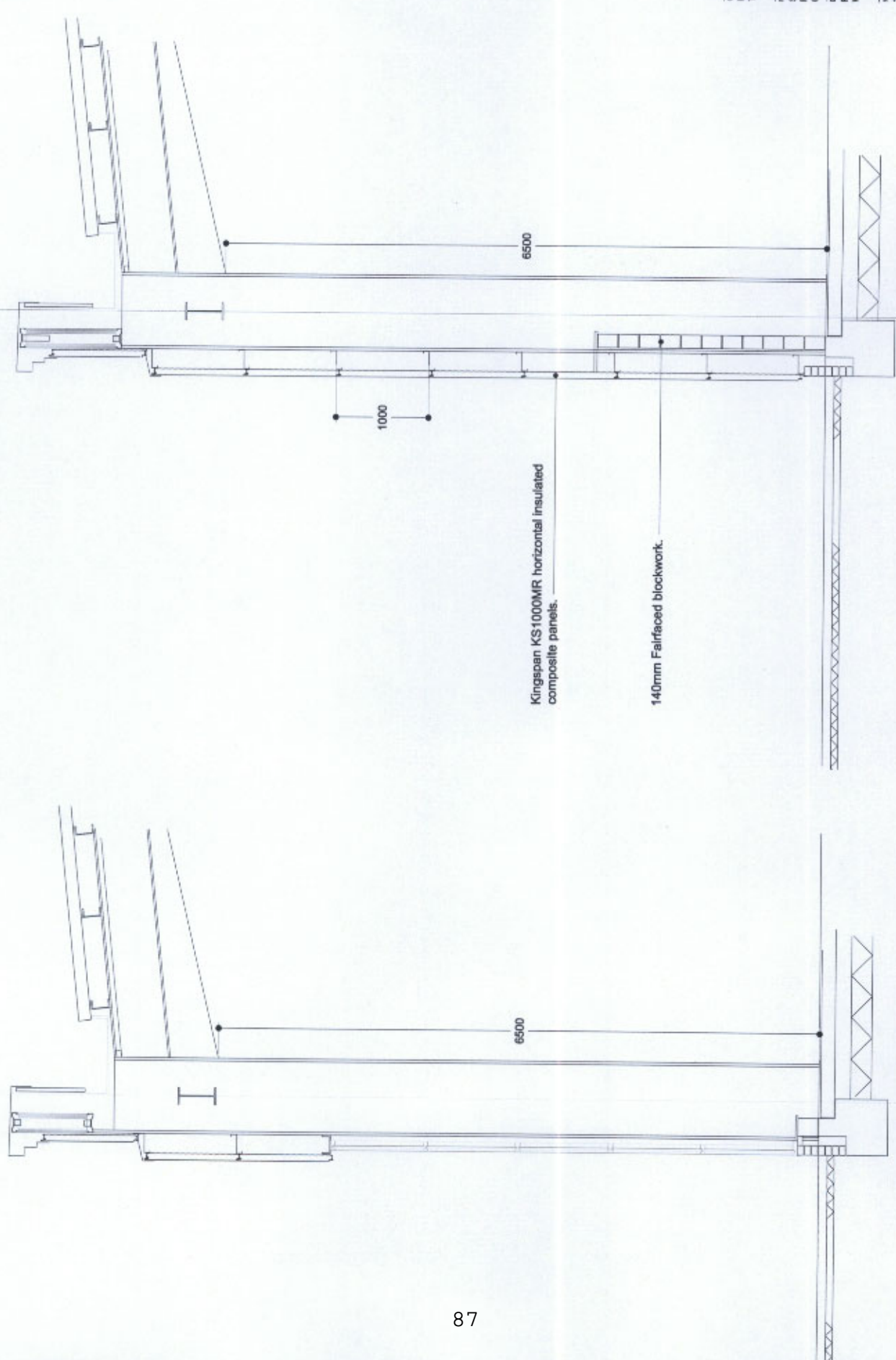
Official:
ROSSFUND CUSTOMER
TRUSTEES LIMITED

ST. NICHOLAS GATE
METAL PARK
MARLBOROUGH

Planning Title:
**PROPOSED
ELEVATIONS
NEW UNIT 50**

1100	Regal Co. (Chicago)	Est.:	Oct 29	Office: London
338	Regal Co. (Chicago)	Est.:	Oct 29	Office: London

Survey Item	Yes	No	Don't Know
1. I have a good understanding of the company's financial statements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. I have a good understanding of the company's business strategy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. I have a good understanding of the company's competitive position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. I have a good understanding of the company's risk factors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. I have a good understanding of the company's management team.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. I have a good understanding of the company's industry.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. I have a good understanding of the company's products and services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. I have a good understanding of the company's financial performance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. I have a good understanding of the company's market position.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. I have a good understanding of the company's future prospects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

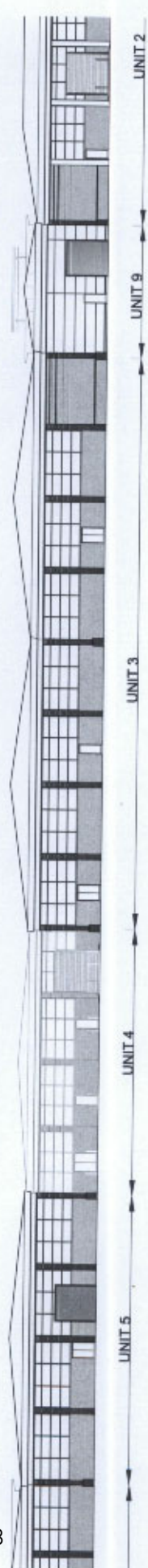
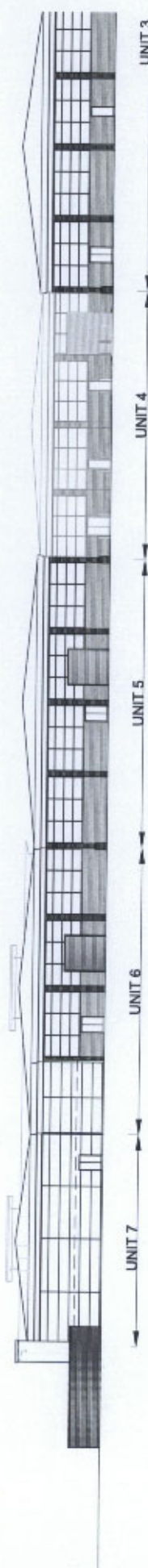


1 Detail Section through Glazing
 2 Detail Section through Cladding

Client: POSSUMUND CUSTODIAN TRUSTEES LIMITED		Project: ST MICHAEL'S GATE RETAIL PARK CAULFLE	Architect: [Logo] 22 Victoria Road St. Michael's Gate 127 0119, 11100 No. 00 000 000 0000 0000 0000
Drawing Title: PROPOSED WALL SECTIONS		Scale: 1:50	Date: 02/08
Author: T088		Check: PL 021	Issue: 1
Revision: 1.0		Approval: <input type="checkbox"/> Approved <input type="checkbox"/> Rejected	Signature: <input type="checkbox"/> Approved <input type="checkbox"/> Rejected

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Revisions:	By:	Date:
A. The Escapes and loading doors added	HQ	10.01.10
A. The Escapes and loading doors added	MAC	03.04.10

[illegible]



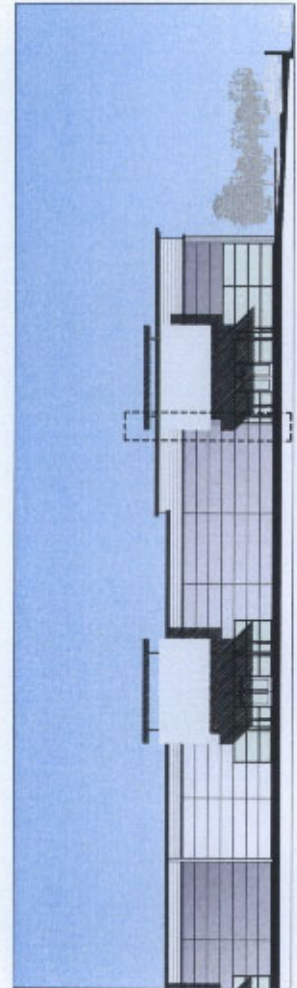
Project description and site plan. All dimensions are in meters unless otherwise stated. All materials are to be supplied by the contractor.

Project: ST. NICHOLAS DATE RETAIL PARK CARLISE

Client: POSSEUND CUSTOMARY TRUSTEES LIMITED

MATERIALS LIST TO ELEVATIONS

- ① Corporate monochrome building panels
- ② Corporate monochrome building panels (Contrasting Colors)
- ③ Porcelain roof cladding
- ④ Flat roof cladding
- ⑤ Corbin wall cladding
- ⑥ Porcelain roof cladding
- ⑦ New signage fixture



Section 1: Units 6 & 7 - London Road



Section 2: Unit 1 - London Road

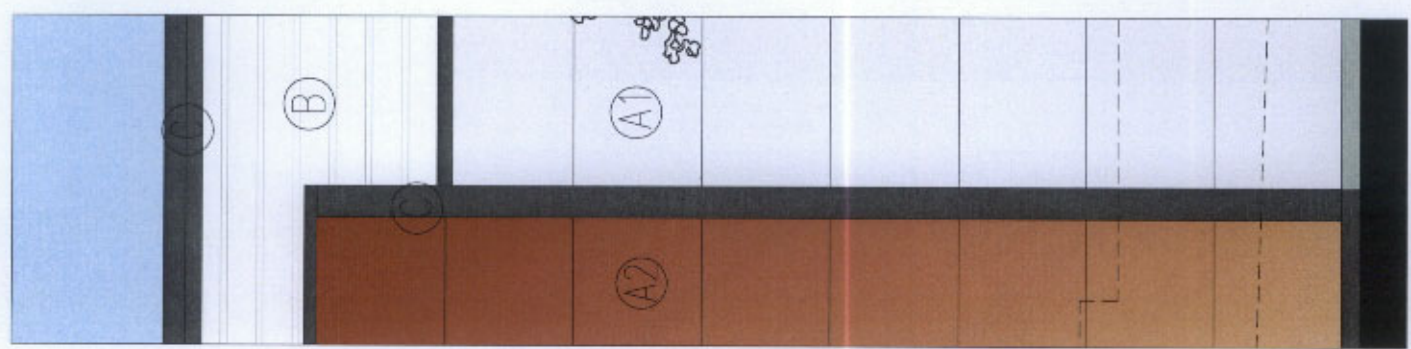
Silver	RAL 9006	①
Pearl	RAL 9010	②
Goldstone	RAL 2013	③
Nightstone	RAL 9017	④



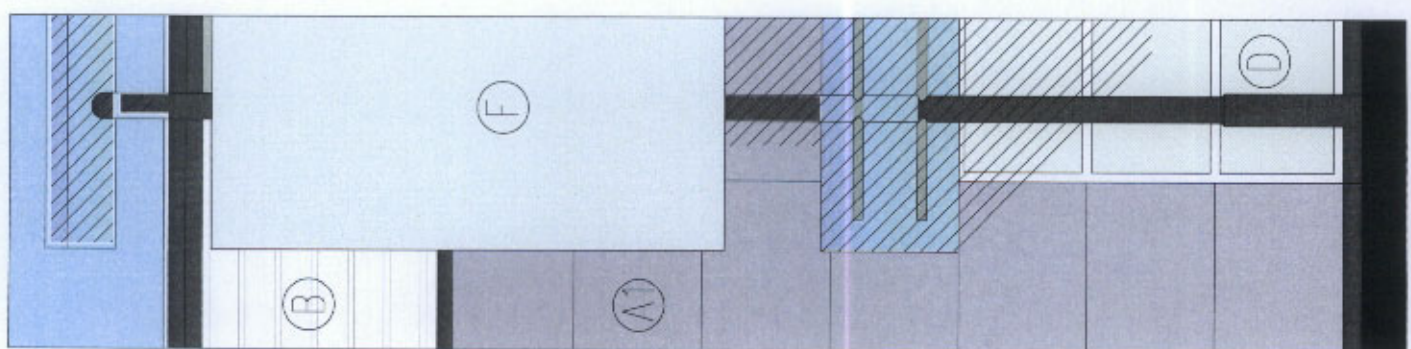
① Example of new signage fixture



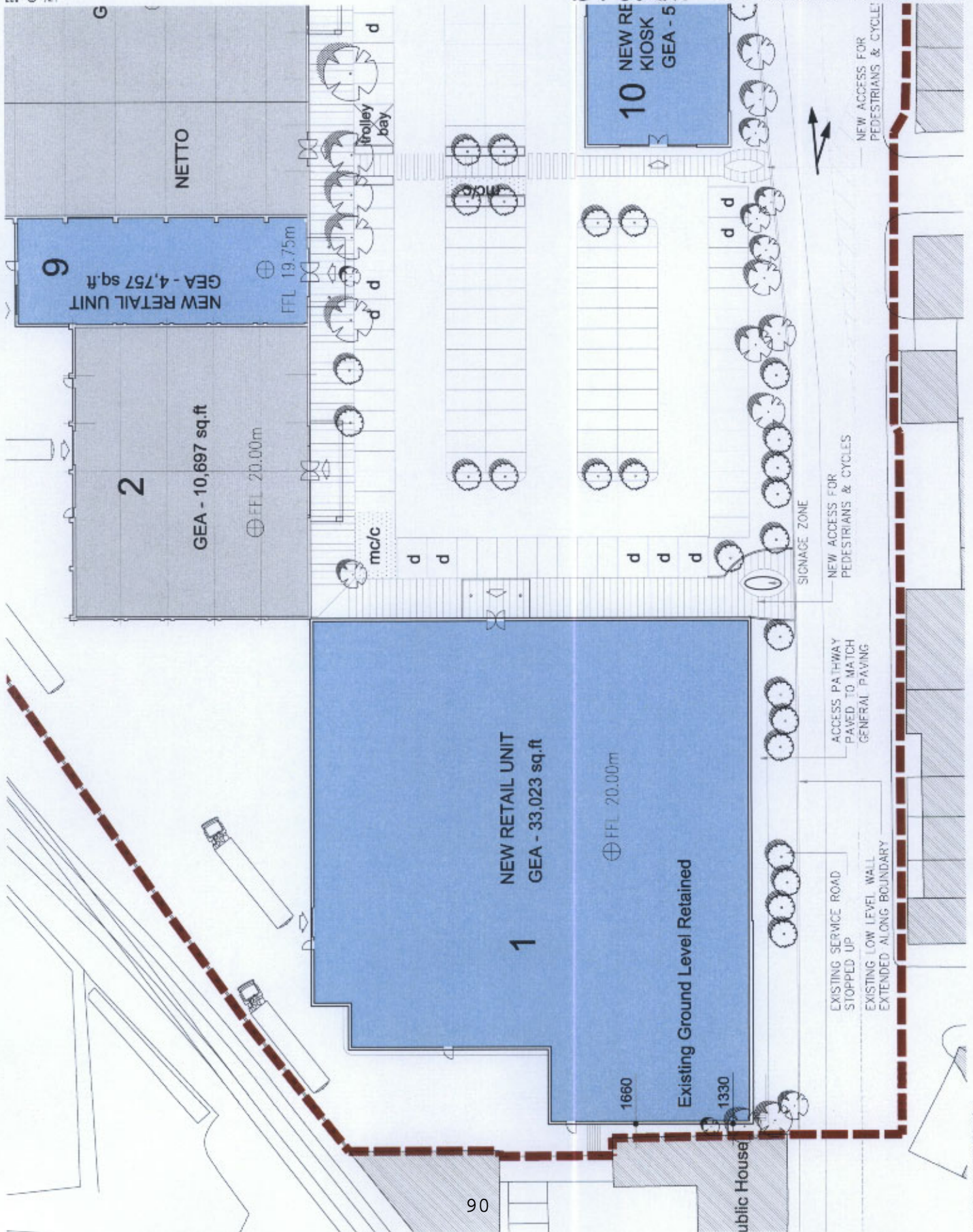
② Example of Corporate monochrome building panels (RAL 9006)



Section 2: Unit 1 - London Road



Section 1: Units 6 & 7 - London Road





KEY PLAN

Client:
POSSUM CUSTODIAN
TRUSTEES LIMITED

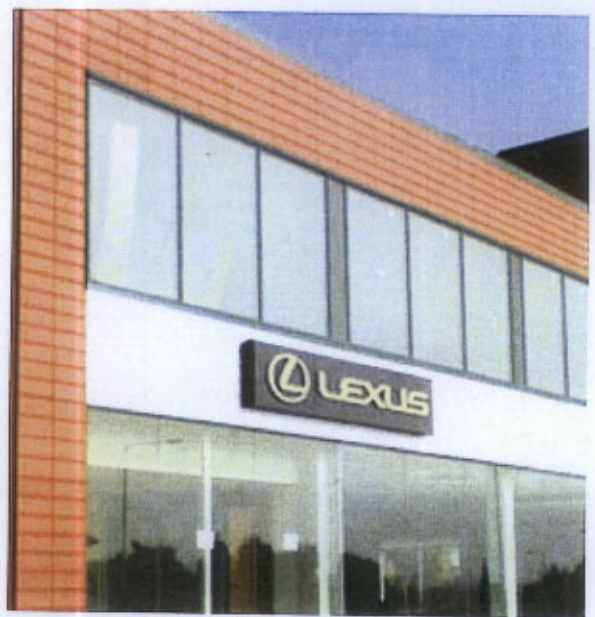
Project:
ST NICHOLAS GATE
RETAIL PARK
CARLEBURG

P.R.C.
32 Market Road,
Burlington, B70P,
WV 4-1
(08 9391 3119)
Fax (08 939 1060)
enquiries@prc.co.uk

Architecture
Shaw-Welch

Page # of # 200	Project Code/Date: HD Jan 13	Employee Information	OFFICE Location 50700 Subcategory Admin Support	EMail CNA Name TONGUE
SSN 7856	Dept: Training Inc. No. PL 025	Training <input type="checkbox"/>	Supervision <input type="checkbox"/>	Approval <input type="checkbox"/>
Date: 1/13/13	Initials:	Initials:	Initials:	Initials:





SCHEDULE A: Applications with Recommendation

10/0100

Item No: 04

Date of Committee: 23/04/2010

Appn Ref No:
10/0100

Applicant:
Mr Ronald Nichol

Parish:
Arthuret

Date of Receipt:
03/02/2010

Agent:
Taylor & Hardy

Ward:
Longtown & Rockcliffe

Location:
High Walls, Bank Street, Longtown, Carlisle, CA6
5PS

Grid Reference:
337844 568688

Proposal: Variation Of Condition 11 Of Previously Approved Application 03/0505
To Allow Use Of Alternative Vehicular Access On Esk Street

Amendment:

1. Revised Site Location Plan
-

REPORT

Case Officer: Richard Maunsell

Reason for Determination by Committee:

This application is brought for determination by Members of the Development Control Committee due to objections that have been received from neighbouring residents.

1. Constraints and Planning Policies

Ancient Monument

Conservation Area

The proposal relates to land or premises situated within the Longtown Conservation Area.

Local Plan Pol CP5 - Design

Local Plan Pol CP6 - Residential Amenity

Local Plan Pol LE19 - Conservation Areas

2. Summary of Consultation Responses

Cumbria County Council - (Highway Authority): the application's red line does not show access to the track to Esk Street, nor is the red line inclusive of this track. To further complicate matters, the length of track is not highway.

As it is a private track, it is highly recommended that the applicant contact the owner of this track to ascertain whether this use would be permitted. The current track gives access to more than this proposal and it is considered that the additional movement from one dwelling would not affect the working of the highway in any measured way. The Highway Authority therefore confirm that there is no objection to this application purely from a Highway point of view.

The Highway Authority point out that this recommendation is made with the proviso that the intensification of use from this site (Single dwelling) is not increased (either to Bank Street or Esk Street);

Arthuret Parish Council: the following comments have been received:

1. residents of Bank Street, Esk Street and Esk Bank should be consulted;
2. the Council should consider why an alternative access is required when there is already one on Bank Street to the premises;
3. other residents share the existing arrangement, any change could interfere with their access; and
4. the proposal could cause congestion on the rear access for other residents; and

English Heritage - North West Region: no comment.

3. Summary of Representations

Representations Received

Initial:	Consulted:	Reply Type:
18 Esk Street	09/02/10	
17 Bank Street	09/02/10	Objection
The Globe Tavern	09/02/10	
Esk Bank Farm	23/02/10	Objection
20 Esk Street	09/02/10	Undelivered
22 Esk Street	09/02/10	
24 Esk Street	09/02/10	
26 Esk Street	09/02/10	
28 Esk Street	09/02/10	
30 Esk Street	09/02/10	Objection
32 Esk Street	09/02/10	Petition
8 Bank Street	09/02/10	
10 Bank Street	09/02/10	
12 Bank Street	09/02/10	
14 Bank Street	09/02/10	
16 Bank Street	09/02/10	

- 3.1 This application has been advertised by means of a site notice, a press notice and direct notification to the occupiers of sixteen of the neighbouring properties. At the time of writing this report, three letters of objection and a petition containing seventeen signatures have been received and the main issues raised are summarised as follows:
1. originally there was a block wall with a pedestrian gate which formed the boundary wall. Was planning permission necessary and obtained to install the double gates?;
 2. the applicant stated in the application for the dwelling in 2003 that he intended to use the access onto Bank Street and that the access onto Esk Street would not be used in connection with the development;
 3. the lane from Esk Street can get muddy during period of wet weather and vehicle use is kept to a minimum by those who have a legal right of access;
 4. the turning into the gate is very tight and will become churned up when wet which will affect the amenity of neighbouring residents;
 5. the gable end of Bank Street has been damaged with vehicles catching the gable as they turn into the existing access gate which has a wide entrance. There is concern that vehicles will damage gable walls of properties using the lane from Esk Street which is much tighter;
 6. the applicant's legal entitlement to use the lane is questioned;
 7. what definition is given for 'occasional' use and how would this be policed?;
 8. the submitted plans include outbuildings which belong to the neighbouring property and not the applicant;
 9. conditions placed on the original consent for the bungalow that relate to materials and a requirement to heighten a boundary wall by 200mm, have been flouted. Future conditions would also not be adhered to;
 10. there is concern regarding possible future development should an additional access be granted;
 11. the applicant's property could be occupied by multiple vehicles thereby increasing the use of the land that would add to the cost of maintaining it;
 12. the reason for the imposition relates to highway safety and the amenity of neighbouring residents. The situation has not changed and the use of the access would still cause concern in relation to highway safety and would certainly affect the amenity of neighbouring residents;
 13. children use the lane to access neighbouring properties or to play. Any increased use of the land would affect the safety of the children due to the

narrow lane and lack of visibility;

14. there has previously been an unlicensed car parked in the lane with the permission of the applicant;
15. the lane is used by central heating oil suppliers which would be inhibited by the increased use of the lane; and
16. neighbouring properties have an access clear onto the lane which is used very frequently, often daily.

3.2 No further representations have been received following the receipt and consultation regarding the amended drawing.

4. Planning History

- 4.1 Planning permission was granted in 2003 for the erection of a dormer bungalow and garage.

5. Details of Proposal/Officer Appraisal

Introduction

- 5.1 The application seeks Full Planning permission for the variation of a planning condition at High Walls, Bank Street, Longtown. The application relates to a dwelling which was erected in 2003 on an enclosed site adjacent to the public conveniences in Longtown. The property, which is known as "High Walls" is surrounded by residential properties with the exception of the public conveniences and the Globe Tavern public house that lie to the north and north-east of the application site respectively. The site lies within a Primary Residential Area and is in the Longtown Conservation Area.

Background

- 5.2 Planning permission was granted in 2003 for the erection of a dormer bungalow and garage. The consent was subject to eleven conditions, the last of which (No 11) reads as follows:

"There shall be no vehicular access to or egress from the site other than via the approved access.

Reason: In the interests of highway safety and the amenity of neighbouring residents."

Proposal

- 5.3 This application seeks to vary condition 11 to enable the use of an alternative vehicular access to the rear of the site. This would enable vehicles from the

site to exit the curtilage at its south-west corner via the lane that lies parallel with the eastern boundary of Esk Bank Farm. The proposed access point currently exists and is secured by a pair of 1.8 metre high timber gates. The applicant maintains that he has a legal right of access to his property along the lane.

- 5.4 The relevant planning policies against which the application is required to be assessed are Policies CP5, CP6 and LE19 of the Carlisle District Local Plan 2001-2016. The issues for Members to consider is whether the use of the proposed access point is acceptable in terms of highway safety and whether or not its use would prejudice the living conditions of neighbouring residential properties.

Assessment

1. Highway Implications

- 5.5 The principle of residential development has been established on the site through the previous planning permission. An access has been approved from the site onto Bank Street and the current proposal seeks to use an existing access that is 18 metres to the south [as an additional option for access, not an alternative arrangement]. No objection has been raised by the Highway Authority regarding the use of the proposed further access.
- 5.6 Several objectors have made reference to the gates to the access being unlawful. Whilst technically they require planning consent, since they were actually installed over 4 years ago this is beyond the time limit when the Council can request that a planning application be submitted to regularise the situation or when enforcement action can be taken.
- 5.7 The objectors raise concerns that the amount of space available when leaving the applicant's property and accessing the lane would be difficult with restricted visibility for a driver. The ninety degree turn into the lane is restricted; however, the Highway Authority has confirmed that, as the lane is not adopted, there is no minimum standard and overall the Highway Authority has raised no objection to the proposal. In this respect, the proposal does not raise any conflict with planning policies.

2. Impact On The Living Conditions Of The Occupiers Of The Neighbouring Residential Properties

- 5.8 The proposed use of the access would be adjacent to residential properties. The objectors are concerned about increased use by vehicular traffic along the lane. It is their view that the use would inhibit the ability to use the lane for access and for delivery of central heating oil. Furthermore, local children use the lane to play and access nearby properties and consequently, the amenity of the local residents would be adversely affected. They maintain this would be in contravention of the reason provided for the planning condition in 2003.
- 5.9 The objectors have also stated the lane is currently used by residents on a very frequent, often daily, basis. The lane runs close to several buildings and

to the gable of number 32 Esk Street. It is not considered that the level of use likely to be generated through the use of the access would give rise to unreasonable levels of noise or disturbance sufficient to adversely affect the living conditions of the occupiers of the neighbouring properties.

- 5.10 Any legal restriction of access in the lane through the applicant's use or obstruction caused by it would be a civil matter between the relevant parties concerned.

3. The Impact On The Character And Appearance Of The Development On The Longtown Conservation Area

- 5.11 Development proposals within and adjoining Conservation Areas will be granted planning permission provided they preserve or enhance the character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of Conservation Areas. The proposed use of the access would not have a negative impact on the character or appearance of the Conservation Area.

4. Other Matters

- 5.12 In the submitted details, the applicant refers to the fact that the proposed access would be used on an occasional basis. The objectors question the definition of occasional and how would this be enforced.
- 5.13 The applicant has stated that currently his only access to and from his property is via Bank Street. He has stated that on occasion, the access has been blocked by vehicles parking in front of his gates, prohibiting access or egress. The use of the access to the rear of the property would provide an alternative under such circumstances.
- 5.14 It has already been demonstrated in the preceding paragraphs of this report that the principle of the access is acceptable. It would be unreasonable and unenforceable to impose a planning condition that required only 'occasional' use.

Conclusion

- 5.15 In overall terms, the proposal access for construction vehicles does not raise any highway issues and does not prejudice the living conditions of the occupiers of adjacent properties by unreasonable levels of noise or disturbance. The development would not adversely affect the character or appearance of the Longtown Conservation Area. The issue of the legal right of access to use the lane is a civil matter should the occupiers of the neighbouring properties wish to dispute this. In all aspects the proposal is considered to be compliant with the objectives of the relevant Local Plan policies.

6. Human Rights Act 1998

- 6.1 Several provisions of the above Act can have implications in relation to the consideration of planning proposals, the most notable being:

Article 6 bestowing the "Right to a Fair Trial" is applicable to both applicants seeking to develop or use land or property and those whose interests may be affected by such proposals;

Article 7 provides that there shall be "No Punishment Without Law" and may be applicable in respect of enforcement proceedings taken by the Authority to regularise any breach of planning control;

Article 8 recognises the "Right To Respect for Private and Family Life";

- 6.2 Article 1 of Protocol 1 relates to the "Protection of Property" and bestows the right for the peaceful enjoyment of possessions. This right, however, does not impair the right to enforce the law if this is necessary, proportionate and there is social need;
- 6.3 Article 8 and Article 1 Protocol 1 are relevant but the impact of the development in these respects will be minimal and the separate rights of the individuals under this legislation will not be prejudiced. If it was to be alleged that there was conflict it is considered not to be significant enough to warrant the refusal of permission.

7. Recommendation - Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Notwithstanding the details shown in the submitted application and the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), the shower room window to the first floor of the southern elevation of the dwelling shall be obscurely glazed and non-opening and shall thereafter be retained as such to the satisfaction of the local planning authority.

Reason: In order to protect the privacy and living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no additional windows, skylights or dormers shall be inserted to

the first floor of any elevation of the dwelling without the prior written consent of the local planning authority.

Reason: In order to protect the privacy and living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

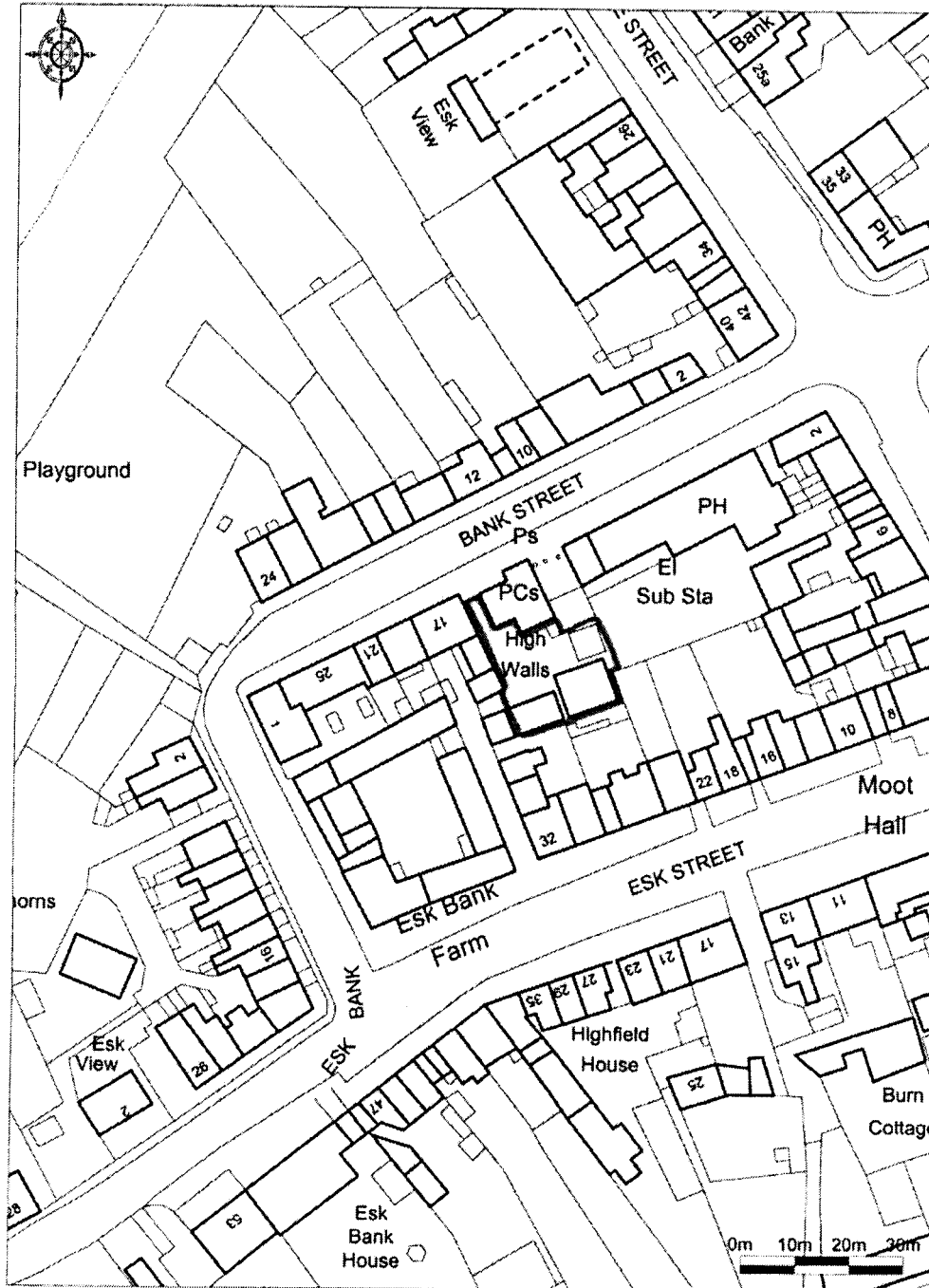
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), no extensions to the dwelling nor alterations to its roof shall be carried out, nor building, garage, shed or other structure erected within the curtilage thereof, without the prior written permission of the local planning authority.

Reason: To maintain planning control in the interests of the living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. There shall be no vehicular access to or egress from the site other than via the approved access to Bank Street approved under planning application reference 03/0505 or to Esk Street approved under application reference 10/0100.

Reason: In the interests of highway safety and to protect the privacy and living conditions of the occupiers of the neighbouring properties in accordance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

RECEIVED
- 3 FEB 2010
10/0100



Promap

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SCHEDULE B

SCHEDULE B

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SCHEDULE C

SCHEDULE C

SCHEDULE C

SCHEDULE C: Applications Determined by Other Authorities

Item No: 05

Between 25/01/2010 and 09/04/2010

Appn Ref No:

09/9046

Applicant:

Esk Building Products

Parish:

St Cuthberts Without

Date of Receipt:

30/10/2009

Agent:

Cumbria County Council

Ward:

Dalston

Location:

Carlisle Brickworks, Brisco, Carlisle, CA4 0QY

Grid Reference:

342664 552101

Proposal: Erection Of A 70 Metre High Meteorological Mast For The Purposes Of
Obtaining Wind Speed And Direction For Two Years

Amendment:

REPORT

Case Officer: Angus Hutchinson

City Council Observations on the Proposal:

Decision: City Council Observation - Raise No Objection

Date: 20/11/2009

Decision of: Cumbria County Council

Decision Type: Grant Permission

Date: 26/01/2010

A copy of the Notice of the decision of the Determining Authority is printed following the report.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER, 1995**

NOTICE OF PLANNING CONSENT

To: ESK Building Products
The Brickworks
Brisco
Carlisle

PROCEDURE	
PLANNING & HOUSING SERVICES	
REF	
27 JAN 2010	
RECORDED	KL
SCANNED	
PASSED TO	MS/ASJ
ACTION	

In pursuance of the powers under the above Act and Order the Cumbria County Council as local planning authority hereby **permit** the development described in your application and on the plans and drawings attached thereto received on 27 October 2009.

viz: Erection of a 70 metre high guyed meteorological mast
The Brickworks, Brisco, Carlisle, Cumbria, CA4 0QY

enter details on Decision screen

subject to due compliance with the following conditions:

TIME LIMITS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission shall be for a limited period only. Written notification of the date of erection of the meteorological mast shall be sent to the Local Planning Authority within 7 days of the date of the completion of construction and the mast shall be removed and the area restored to its current state within 2 years of the date of completion.

Reason: To secure the proper restoration of the application site following the approved period for this temporary development, in accordance with Policy R44 of the Cumbria and Lake District Joint Structure Plan 2001-2016 (Structure Plan).

APPROVED OPERATIONS PROGRAMME

- 3 The development hereby permitted shall be carried out strictly in accordance with the approved documents, herein referred to as the approved scheme. Any variations to the approved scheme shall be submitted to and approved in writing by the Local Planning Authority prior to being carried out. The approved scheme shall comprise the following documents:

- 3.1 the letter of application and application form, dated 26 October 2009;
- 3.2 the Design and Access Statement, dated 26 October 2009;

- 3.3 the plans as follows: *70m Elevation Plan*, dated 1 September 2005; *70m Plan*, dated 1 September 2005; *Anemometry Mast Plan Scale 1:1250*; *Anemometry Mast Plan Scale 1:2500*, and *Anemometry Mast Plan Scale 1:5000*;
- 3.4 the details required by conditions attached to this permission, and
- 3.5 the decision notice.

Reason: To ensure that the site is worked and restored in accordance with the approved scheme and to avoid confusion as to what the approved scheme comprises.

- 4 From the commencement of the development to its completion, a copy of the approved scheme and any other documents subsequently approved in accordance with this permission shall always be available on site for inspection during normal working hours. Their existence and content shall be made known to all operatives likely to be affected by matters covered by them.

Reason: To ensure those operating the site are conversant with the approved scheme and are aware of the requirements of the planning permission.

- 5 The height of the meteorological mast shall not exceed 70 metres from ground level.

Reason: To ensure that the mast is constructed in accordance with the approved documents, for the avoidance of doubt and to ensure that it does not exceed an acceptable height, in accordance with 'saved' Policy CP8 of the Carlisle District Local Plan – 2001-2016.

Dated the 26 January 2010

Shaun Gorman

.....
Signed: Shaun Gorman
The Head of Environment,
on behalf of the Council.

NOTE

- Where the permission is granted subject to conditions, attention is directed to the attached Appendix/Notes.
- The conditions attached to this permission may override details shown on the application form, accompanying statements and plans.
- Submissions to discharge conditions may require a fee (see Appendix)
- Any approval to be given by the Director of Environment or any other officer of Cumbria County Council, shall be in writing.

CUMBRIA COUNTY COUNCIL

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995 (AS AMENDED)**

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.
2. The key development plan policies taken into account by the County Council before granting permission were as follows:

**Cumbria and Lake District Joint Structure Plan – Adopted Plan - Saved Policies
(2001 – 2016)**

Policy R44 Renewable energy outside the Lake District National Park and AONBs
Outside the Lake District National Park and AONBs proposals for renewable energy, including any ancillary infrastructure or buildings will be favourably considered if:

1. there is no significant adverse effect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure,
2. there is no significant adverse effect on local amenity, the local economy, highways or telecommunications,
3. the proposal takes all practicable measures to reduce any adverse impact on landscape, environmental, nature conservation, historical and local community interests. In considering applications for planning permission in relation to the above criteria, and other policies in this plan, the environmental, economic and energy benefits of renewable energy proposals should be given significant weight.

There are additional requirements in the following cases:

Wind energy development

4. measures should be included to secure the satisfactory removal of structures/related infrastructure and remediation of land following cessation of operation of the installation.

Carlisle District Local Plan – Adopted Plan – Saved Policies (2001-2016)

Policy CP8 Renewable Energy

Proposals for renewable energy will be favourably considered provided that all of the following criteria are satisfied:

1. there is no unacceptable visual impact on the immediate and wider landscape and townscape;
2. there is no adverse impact on biodiversity;

- 3 any new structures would be sensitively incorporated into the surrounding landscape/ townscape and/or habitat and respect the local landscape character;
 - 4 measures are taken to mitigate any foreseen noise, smell or other nuisance or pollutants likely to affect nearby occupiers, amenities and/or neighbouring land uses;
 - 5 any waste arising as a result of the development is minimised and dealt with using a suitable means of disposal;
 - 6 there would be no unacceptable levels of harm to features designated as of local, national or international importance;
 - 7 adequate provision can be made for access and parking and the potential impact on the road network;
 - 8 there would be no unacceptable conflict with any existing recreational facilities or routes;
 - 9 there would be no unacceptable cumulative effects when proposals are considered together with any extant planning approvals or other existing renewable energy developments.
- 3 In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.

Dated the 26 January 2010

Shaun Gorman

.....
Signed: Shaun Gorman
The Head of Environment,
on behalf of the Council.

APPENDIX TO NOTIFICATION OF PLANNING DECISION

This Appendix does not form part of any consent. However, you should take careful notice of the advice given below as it may affect your proposal.

1. Unless specifically exempt by the Waste Management Licensing Regulations 1994, all operations involving "controlled waste", which includes most wastes excluding mine and radioactive waste, requires a Waste Management Licence or Pollution Prevention and Control Permit issued by the Environment Agency. Where your proposal includes the disposal, storage, transfer or treatment of any waste material on the permission site, you should contact the Environment Agency, Ghyll Mount, Gillan Way, Penrith 40 Business, Penrith, CA11 9BP (08708 506506), regarding applying for a licence, if you have not already done so. It is a criminal offence to deposit controlled waste and in certain circumstances to store, transfer or treat waste without a licence.
2. Obtaining any planning permission does not imply that any consents or licences required to be obtained from United Utilities plc or the Environment Agency would be granted. You are advised to consult the appropriate body to determine if any such consent or licence may be required.
3. Any grant of planning permission does not entitle developers to obstruct a public right of way. Development, insofar as it affects a right of way, should not be started, and the right of way should be kept open for public use, until the necessary order under Section 247 or 257 of the Town and Country Planning Act 1990, or other appropriate legislation, for the diversion or extinguishment of right of way has been made and confirmed.
4. The attention of the person to whom any permission has been granted is drawn to Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings or any prescribed document replacing that code.
5. Any application made to the Local Planning Authority for any consent, agreement or approval required by a condition or limitation attached to a grant of planning permission ~~will be treated as an application under Article 21 of the Town and Country Planning (General Permitted Development) Order 1995 and must be made in writing. Applications will be acknowledged and the Local Planning Authority is required to determine them within 8 weeks of receipt unless otherwise agreed in writing. A fee of £85 is payable for each submission (except for mining and landfill sites where fees are chargeable for site visits). A single submission may relate to more than one condition. If the County Council does not make a decision within 12 weeks of the date of submission the fee will be returned.~~
6. There is a right of appeal against the failure to determine applications within the specified period ~~and against the refusal of any consent, agreement or approval for which application is made (see enclosed "Notes in respect of Appeals to The Secretary of State").~~

SCHEDULE C: Applications Determined by Other Authorities

09/0068

Item No: 06

Between 25/01/2010 and 09/04/2010

Appn Ref No:

09/0068

Applicant:

Mrs Sandra Vevers

Parish:

Cumrew

Date of Receipt:

11/02/2009

Agent:

Sandysike Construction Ltd

Ward:

Great Corby & Geltsdale

Location:

Field North of Cumrew House to Cumrew Beck,
Cumrew, Heads Nook

Grid Reference:

354982 550672

Proposal: Erection Of 1no. Dwelling With Garage & Workshop

Amendment:

REPORT

Case Officer: Dave Cartmell

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: The decision to dismiss the appeal is primarily based on the applicant's failure to prove an essential business need for the proposed dwelling in the village (which is not identified as a settlement in Policy H1). The Planning Inspector also recognised that the extension of building development into the field would conflict with (1) the statutory duty of the Council to seek to preserve or enhance the positive attributes of the Conservation Area and (2) Policy DP9 which seeks to protect the landscape quality of the North Pennines Area of Outstanding Natural Beauty.

Appeal Decision: Appeal Dismissed

Date: 30/03/2010

SCHEDULE C: Applications Determined by Other Authorities

09/0744

Item No: 07

Between 25/01/2010 and 09/04/2010

Appn Ref No:
09/0744

Applicant:
Neil Lennox

Parish:
Carlisle

Date of Receipt:
02/09/2009

Agent:
Mr James Stephens

Ward:
Morton

Location:
19 Irton Place, Morton, Carlisle, Cumbria, CA2 6LX

Grid Reference:
338169 553958

Proposal: Replacement Of First Floor Window With Sliding Patio Doors And
Balcony To Front Elevation Of First Floor Flat

Amendment:

REPORT

Case Officer: Shona Taylor

Decision on Appeals:

Appeal Against: Appeal against refusal of planning perm.

Type of Appeal: Written Representations

Report: The appeal site relates to 19 Irton Place, Morton. Planning Consent was sought for the replacement of first floor window with sliding patio doors and a balcony to the front elevation of a first floor flat. The flats have the appearance of a pair of semi detached properties, each pair consisting of four flats, two upstairs and two downstairs. The host property has a shared entrance porch and stairway with number 21 Irton Place, the adjacent upstairs flat. The ground floor flats have their own separate entrances. The proposed balcony would measure 2.4m in width at 0.9m in depth at a height of 2.8m to floor level and would be constructed from black painted metal railings.

The application was determined under delegated powers on the 28th October 2009 when it was refused on the following grounds:

"It is considered that the addition of a balcony on the front elevation of the property would by reason of its design, size and location, be a discordant feature on the property. By virtue of its scale and location it is considered that the addition of the balcony to the dwelling would result in an obtrusive development that would be inappropriate to the character of the area, the dwelling and neighbouring dwellings, contrary to Policy H11 of the Carlisle District Local Plan."

SCHEDULE C: Applications Determined by Other Authorities

09/0744

The Inspector outlined that the main issue relating to this appeal is the effect of the proposed development on the character and appearance of the building and the area.

The Inspector considered that the proposal would introduce a very different window style which would be out of proportion to the other windows in the facade especially at first floor level. He considered that the prominent balcony, with its curved wrought iron balustrade would appear incongruous and out of context with the block of flats and the local street scene.

The Inspector concluded that the proposal, by virtue of its scale, design and prominence on the front elevation of the building would not satisfy Policies CP5 and H11 of the Local Plan and the appeal was dismissed.

Appeal Decision: Appeal Dismissed

Date: 08/03/2010

SCHEDULE D

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SCHEDULE D: Reports on Previously Deferred Decisions

Item No: 08

Between 25/01/2010 and 09/04/2010

Appn Ref No:

09/0985

Applicant:

Caldew Hospital Ltd

Parish:

Carlisle

Date of Receipt:

06/11/2009

Agent:

Taylor & Hardy

Ward:

Denton Holme

Location:

Caldew Hospital, 64 Dalston Road, Carlisle, CA2 5NW

Grid Reference:

339228 555292

Proposal: Redevelopment To Provide New Hospital With In And Out Patient Facilities

Amendment:

1. Revised proposals received on 14th January illustrate the following amendments:
 - An overall reduction in floor area of each floor by 64sqm. Overall reduction in the height of the building of 0.95m.
 - An overall reduction in width of Phase 1 by 1.5m and reduction in the maximum width of Phase 2 from 18.0m to 13.5m
 - All gable windows are shown opaque. All the upper floor windows will have translucent manifestations to minimise any privacy issues.
 - Car parking increased to 37 spaces. The applicants will instigate a Green Travel Plan to encourage car-sharing etc. and will adopt an allocated parking system.
 - The revised site plan shows the building set down, with a retaining wall around it, to enable retention of existing ground levels around the trees.
 - The revised site plan includes a note about reinforcing the site boundaries.
 - The floor area of each patient room has been decreased by 2.7sqm.
 - Bedroom windows removed from 1st floor of elevation facing Bedford Road and re-sited to front and rear of Phase 2 block.
 - Windows To RMO flat at 2nd floor of Bedford Road elevation re-moved and re-located to face to front of Phase 2 block.
 - All external lighting will be at low level, e.g. via bollards etc.
 - Applicants propose to incorporate any redeemable features from the existing building within the interior design of the new building.
 - The applicants would accept a Percent for Art condition.
 - The scheme will incorporate the recommendations of the Designing Out Crime Officer, as stated in the Design Notes.
 - The drawings are now re-titled 'Caldew'.
 - The disabled parking bays and door protection measures are shown.
 - Other recommendations of the Access Officer will be incorporated into the detailed design.
2. 2nd February 2010: Updated Design & Access Statement received.

SCHEDULE D: Reports on Previously Deferred Decisions

3. 22nd February 2010- further revisions received showing:
 1. The building moved two metres further from the boundary with properties on Bedford Road;
 2. The roof plant on the rear section of the building brought in from the two flank walls so the eaves height nearest to the boundaries is lower; and
 3. The building principally finished in facing brickwork instead of render, the latter only being used around the immediate entrance threshold.

REPORT

Case Officer: Alan Taylor

Details of Deferral:

Members will recall at Committee meeting held on 12th March 2010 that authority was given to the Assistant Director (Economic Services) to issue approval for the proposal subject to:

1. The receipt of formal confirmation from the Department for Culture, Media and Sport that there is no immediate intention to designate Caldew Hospital a Listed Building;
2. The submission of further details outlining how the existing natural stone could be incorporated within the new development; and
3. The imposition of an additional condition that requires the development to incorporate rain water harvesting/energy conservation measures.

These issues have been satisfactorily concluded and the approval was issued on 17th March 2010.

Decision: Grant Permission

Date: 17/03/2010

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

SCHEDULE D: Reports on Previously Deferred Decisions

2. Notwithstanding any description of materials in the application no development shall be commenced until samples or full details of materials to be used externally on the building have been submitted to and approved by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

Reason: To ensure that materials to be used are acceptable and in accord with Policy CP5 of the Carlisle District Local Plan 2001-2016).

3. Trees and shrubs shall be planted in accordance with a scheme to be agreed with the Local Planning Authority before building work commences. The scheme shall include the use of native species and shall also include a detailed survey of any existing trees and shrubs on the site and shall include particulars of plant species and those trees and shrubs that are to be retained.

Reason: To ensure that a satisfactory landscaping scheme is prepared in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and that it fulfils the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. Trees or hedges chosen for retention in the landscaping scheme shall not for the duration of the development works be damaged or destroyed, uprooted, felled, lopped or topped without prior written consent of the Local Planning Authority.

Reason: To protect trees and hedges during development works in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

6. For the duration of the development works existing trees to be retained shall be protected by suitable tree protection fencing which must be in accordance with the specification within British Standard BS 5837: 2005 Trees in relation to construction: Recommendations Fig. 2. The Authority shall be notified at least

SCHEDULE D: Reports on Previously Deferred Decisions

seven days before work starts on site so that protective fencing positions can be established. Within this protected area there shall be no excavation, tipping or stacking, nor compaction of the ground by any other means.

Reason: To protect trees and hedges during development works in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

7. The detailed plans required by the aforementioned conditions shall incorporate full details of the proposed locations of all services and service trenches and these shall be designed and sited to avoid or minimise the damage to the roots of the existing established trees.

Reason: To protect trees and hedges during development works in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

8. Following completion of construction works and removal of site machinery and materials, protective fencing may be dismantled to permit ground preparation and cultivation works, if required, adjacent to the trees. Any such ground preparation and cultivation works shall be carried out by hand, taking care not to damage any roots encountered.

Reason: To protect trees and hedges during development works in accordance with the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016.

9. Particulars of height and materials of the proposed replacement boundary fences shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development hereby permitted.

Reason: To ensure the protection of the privacy of adjacent occupiers and to afford satisfactory screening in accord with the objectives of Policy H2 of the Carlisle District Local Plan 2001-2016.

10. Within 6 months of the development (or any part thereof) opening for business, the developer shall prepare and submit to the Local Planning Authority for their approval a Travel Plan which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) opening for business.

Reason: To aid in the delivery of sustainable transport objectives and to support Local Transport Plan Policies: WS1, LD4 and Structure Plan Policy T31

SCHEDULE D: Reports on Previously Deferred Decisions

11. An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the Local Planning Authority for approval. Any additional or modified measures shall be brought into effect within two calendar months of the approval by the Local Planning Authority

Reason: To aid in the delivery of sustainable transport objectives and to support Local Transport Plan Policies: WS3, LD4 and Structure Plan Policy T31.

12. The proposed car parking areas shall be provided and available for use prior to the occupation of Phase 1 of the development unless a scheme of phased implementation, in accord with the intended phasing programme for the development, is otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate car parking facilities are provided to serve the development in accordance with the objectives of Policy T1 of the Carlisle District Local Plan 2001-2016.

13. Prior to the carrying out of any demolition works the existing building occupying the site shall be recorded in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority in advance of the permitted development. Within 2 months of the commencement of construction works, 3 copies of the resultant report shall be furnished to the Local Planning Authority.

Reason: To ensure ensure that a permanent record is made of the building prior to its demolition as part of the proposed development in accordance with the objectives of Policy LE8 of the Carlisle District Local Plan 2001-2016.

14. Prior to the occupation of the building there shall be submitted to, and approved in writing by, the Local Planning Authority details of a scheme of Public Art or craft work to be funded by the developers in a publicly accessible/visible place or incorporated within the development itself.

Reason: To ensure that the development complies with the Council's objectives for encouragement of new public art in accord with the Councils "Percent For Art" objectives as set out under Policy LC15 of the Carlisle District Local Plan 2001-2016.

15. No development shall commence until details of rainwater harvesting/energy conservation measures have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance

SCHEDULE D: Reports on Previously Deferred Decisions

with the approved details unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the design of the development takes into account energy conservation and efficiency in accordance with Policy CP9 of the Carlisle District Local Plan 2001-2016.

16. Prior to the occupation of the initial Phase of the development hereby permitted there shall be submitted to, and approved in writing by, the Local Planning Authority details of the proposed re-use within the development works [to form an internal feature(s) or external works or any combination of the two] of the existing sandstone facing which shall be re-covered when the existing Caldew Abbey Hospital building is removed. The sandstone shall be carefully dismantled, labelled and stored in a secure location for the duration of demolition operations prior to being re-deployed, and all works within the approved scheme for its re-use shall be fully executed before Phase 2 is brought into use.

Reason: To enable the material forming the principal elevations of the existing building to be retained and re-used within the re-development scheme as an historical reference to the building that previously occupied the site.

17. Prior to the removal of any existing trees, they should be visually checked for the possible presence of individual squirrels or potential dreys and the proposals for future tree planting within the site [required by Condition 03] should incorporate, as part of the related landscaping proposals for the development, re-planting using native trees to benefit all wildlife.

Reason: To verify there is no potential harm to a protected species and to encourage wildlife diversity within the development site.

Item No: 09

Between 25/01/2010 and 09/04/2010

Appn Ref No:
10/0144

Applicant:
Mr A Harid

Parish:
St Cuthberts Without

Date of Receipt:
16/02/2010

Agent:
Jock Gordon

Ward:
Dalston

Location:
Dhaka Restaurant, London Road, Carleton, Carlisle
CA1 3DS

Grid Reference:
342750 552939

SCHEDULE D: Reports on Previously Deferred Decisions

Proposal: Erection Of Wall Mounted Externally Illuminated Sign Together With The Retention Of 3No. Floodlights That Illuminate The "Dhaka Tandoori" Sign (Revised Application)

Amendment:

1. Alterations to the colour scheme to ensure that it is keeping with the existing premises sign.

REPORT

Case Officer: Sam Greig

Details of Deferral:

Members will recall at Committee meeting held on 12th March 2010 that authority was given to the Assistant Director (Economic Services) to issue approval for the proposal subject to no objections being received prior to the expiration of the consultation period.

No objections have been received and the approval was issued on 16th March.

Decision: Grant Permission

Date: 16/03/2010

1. The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with Regulation 13(5) of the Town and Country Planning (Control of Advertisements) Regulations 1992.

2. Any advertisements displayed, and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

Reason: To accord with Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3. Any advertisements or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To accord with Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

4. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local

SCHEDULE D: Reports on Previously Deferred Decisions

planning authority.

Reason: To accord with Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: To accord with Schedule 1 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

7. The lighting hereby approved shall not be illuminated between 2230 hours and 0900 hours on any day throughout the year.

Reason: To ensure the living conditions of the neighbouring properties are protected in accordance with Policy CP6 of the Carlisle District Local Plan 2001-2016.

8. The lighting units shall be erected so that no direct rays of light from the source of illumination shall be visible to the drivers of vehicles using the highway and the lighting units shall be maintained in that respect thereafter.

Reason: In the interests of highway safety and to support Local Transport Plan Policies LD7 and LD8.

SCHEDULE E

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SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No: 08/0333	Applicant: S & W McConnell	Parish: Carlisle
Date of Receipt: 02/06/2008	Agent:	Ward: Denton Holme
Location: Land bounded by former, Railway Line and Bousteads Grassing, Rome Street, Carlisle		Grid Reference: 340278 555050
Proposal: Erection Of 48no. Dwellings (Reserved Matters, Pursuant To Outline Application 04/0818)		
Amendment:		

Decision: Grant Permission

Date: 25/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: 09/0735	Applicant: Mrs Robbins	Parish: St Cuthberts Without
Date of Receipt: 15/09/2009	Agent:	Ward: Dalston
Location: Brookside, Brisco Road, Brisco, Carlisle, CA4 0QW		Grid Reference: 341480 552850
Proposal: Erection Of Porch (Retrospective) (LBC)		
Amendment:		

Decision: Refuse Permission

Date: 01/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: 09/0779	Applicant: Briery Homes Limited	Parish: Arthuret
Date of Receipt: 30/09/2009	Agent:	Ward: Longtown & Rockcliffe
Location:		Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

L/A Former Sawmill Site, Netherby Road, Longtown, 338160 568945
Carlisle

Proposal: Discharge Of Conditions 2 (Samples Of Materials); 3 (Hard Surface Finishes); 6 (Landscaping Works); 7 (Archaeological Watching Brief); 9 (Surface Water Regulation); 10 (Remediation Scheme); 12 (Ground Levels And Floor Levels); 13 (Footpath/Carriageway/Cycleway Adoption Standards); 14 (Details Of Ramps); 15 (Visibility Splays) And 17 (Vehicle Parking For Construction Traffic) Relating To Previously Approved Application No: 08/1172

Amendment:

Decision: Grant Permission

Date: 11/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/0965

Applicant:
Mr Raymond MacDowall

Parish:
Stanwix Rural

Date of Receipt:
09/11/2009

Agent:
HTGL Architects Ltd

Ward:
Stanwix Rural

Location:
Old Clydesdale Stud, Tarraby, Carlisle CA3 0JS

Grid Reference:
340959 558102

Proposal: Erection Of Stables

Amendment:

Decision: Grant Permission

Date: 19/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1042

Applicant:
Messrs Potter

Parish:
Dalston

Date of Receipt:
22/12/2009

Agent:
Hopes Auction Company
Limited

Ward:
Dalston

Location:
Cardew House, Cardew, Dalston, Carlisle, CA5 7JQ

Grid Reference:
333970 549367

Proposal: Proposed Free Range Hen Building and Egg Packing Station - Phase 1

SCHEDULE E: Decisions Issued Under Delegated Powers

Amendment:

1. Drawing no. P38/7 - Proposed Access Construction Details
2. Drawing no. P38/7a - Proposed Access Construction Details
3. Hedgerow Protection Measures

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1043

Applicant:
Messrs Potter

Parish:
Dalston

Date of Receipt:
22/12/2009

Agent:
Hopes Auction Company
Limited

Ward:
Dalston

Location:
Cardew House, Cardew, Dalston, Carlisle, CA5 7JQ

Grid Reference:
333970 549367

Proposal: Proposed Free Range Hen Building - Phase 2

Amendment:

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1059

Applicant:
Briery Homes Limited

Parish:
Arthuret

Date of Receipt:
03/12/2009

Agent:
MCK Associates Ltd

Ward:
Longtown & Rockcliffe

Location:
L/A Former Sawmill Site, Netherby Road, Longtown,
Carlisle

Grid Reference:
338160 568945

Proposal: Replacement of Plots 30, 41 and 48-57 (12 Dwellings) with Plots 30, 41, 48-57, 83-84 and 85-90 (20 dwellings) relating to Previously Approved Application 08/1172

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Granted Subject to Legal Agreement

Date: 04/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1077

Applicant:
Mr R Tweddle

Parish:
Arthuret

Date of Receipt:
03/02/2010

Agent:

Ward:
Longtown & Rockcliffe

Location:
Unit 29, Brampton Road, Longtown, Carlisle, CA6
5TR

Grid Reference:
340154 567207

Proposal: Renewal Of Temporary Planning Consent For Siting Of Portable Office
Unit And Retrospective Consent For Installation Of Package Treatment
Plant

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1081

Applicant:
Mr Peter Yardley

Parish:
Carlisle

Date of Receipt:
15/12/2009

Agent:
Mr David Lamond

Ward:
Stanwix Urban

Location:
22 Brampton Road, Carlisle, CA3 9AW

Grid Reference:
340579 557197

Proposal: Formation Of Front Entrance Door And Porch, Blocking Up Of Existing
Door And Associated Alterations To Front Garden

Amendment:

Decision: Grant Permission

Date: 15/03/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1089

Applicant:
Kilnstown Farm Ltd

Parish:

Date of Receipt:
05/01/2010

Agent:
Tsada Building
DesignServices

Ward:
Lyne

Location:
Kilnstown, Roweltown, CA6 6PN

Grid Reference:
353500 574144

Proposal: Demolition Of Dutch Barn; Construction Of Portal Framed Agricultural Building For Housing Suckler Cows With Feed Area & Midden

Amendment:

Decision: Grant Permission

Date: 02/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1092

Applicant:
Mr Lee

Parish:
Nicholforest

Date of Receipt:
29/01/2010

Agent:
Mr Rodney Jeremiah

Ward:
Lyne

Location:
Kilnholme, Penton, Carlisle, CA6 5QZ

Grid Reference:
343629 577552

Proposal: First Floor Extension Above Existing Garage To Provide 3no. Bedrooms And Bathroom

Amendment:

Decision: Grant Permission

Date: 25/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1096

Applicant:
Mr & Mrs Greig

Parish:
Carlisle

Date of Receipt:
11/01/2010

Agent:

Ward:
Botcherby

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

29 Alexandra Drive, Carlisle, CA1 2LN

Grid Reference:

342871 555130

Proposal: Proposed Two Storey Side Extension To Provide Replacement Garage And Kitchen On Ground Floor With 2No. Bedrooms And 1No. Shower Room Above

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

09/1101

Applicant:

North Homes Ltd

Parish:

Carlisle

Date of Receipt:

23/12/2009

Agent:

Manning Elliott

Ward:

Denton Holme

Location:

Former Knight Inn, Milbourne Street, CARLISLE
CA2 5XF

Grid Reference:

339677 555654

Proposal: Conversion Of Part Of Former Public House To 3no. Dwellings

Amendment:

Decision: Grant Permission

Date: 04/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

09/1102

Applicant:

Punch Partnerships

Parish:

Carlisle

Date of Receipt:

08/01/2010

Agent:

Insignia Signs & Services
Ltd

Ward:

Castle

Location:

Sportsman Inn, Heads Lane, Carlisle, CA3 8AQ

Grid Reference:

340016 555816

Proposal: Display Of 2no. Externally Illuminated Fascia Signs, 1no. Externally Illuminated Hanging Sign & 3no. Non-Illuminated Amenity Boards

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 04/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1103

Applicant:
Punch Partnerships

Parish:
Carlisle

Date of Receipt:
08/01/2010

Agent:
Insignia Signs & Services
Ltd

Ward:
Castle

Location:
Sportsman Inn, Heads Lane, Carlisle, CA3 8AQ

Grid Reference:
340016 555816

Proposal: Display Of 2no. Externally Illuminated Fascia Signs, 1no. Externally Illuminated Hanging Sign & 3no. Non-Illuminated Amenity Boards (LBC)

Amendment:

Decision: Grant Permission

Date: 04/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
09/1118

Applicant:
Andidrain

Parish:
Rockcliffe

Date of Receipt:
04/01/2010

Agent:
PMS Fabrications Ltd

Ward:
Longtown & Rockcliffe

Location:
Andidrain, Building E, Kingmoor Park Rockcliffe
Estate, Rockcliffe, Carlisle, CA6 4RW

Grid Reference:
336516 560773

Proposal: Demolition Of Existing Office Block And Workshop And The Erection Of Two Storey Office Block; Steel Frame Profile Clad Workshop And Repositioned Existing Workshop

Amendment:

Decision: Grant Permission

Date: 07/04/2010

Between 27/02/2010 and 09/04/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
09/1127

Applicant:
Mr McLean

Parish:
Hayton

Date of Receipt:
04/01/2010

Agent:
Black Box Architects
Limited

Ward:
Hayton

Location:
Site adjacent to, West View, Faugh

Grid Reference:
351049 554596

Proposal: Erection Of 1No. Detached House And Formation Of Driveway
Amendment:

Decision: Grant Permission

Date: 01/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0019

Applicant:
Mr Geoff Beattie

Parish:
Stanwix Rural

Date of Receipt:
20/01/2010

Agent:

Ward:
Stanwix Rural

Location:
Rivendell, Linstock, Carlisle, CA6 4PY

Grid Reference:
342806 558295

Proposal: Erection Of Conservatory To Rear Elevation (Revised Application)
Amendment:

Decision: Grant Permission

Date: 15/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0022

Applicant:
Riverside in Carlisle

Parish:
Carlisle

Date of Receipt:
11/01/2010

Agent:
Ainsley Gommon
Architects

Ward:
Morton

Location:
Land at Barras Close, Barras Close, Carlisle

Grid Reference:
338386 554235

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Discharge Of Condition 11 (Pedestrian Baffle Details) Of Previously Approved Application 09/0036

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0024

Applicant:
Wm
Armstrong(Longtown)Ltd

Parish:
Kirkandrews

Date of Receipt:
18/02/2010

Agent:
Tsada Building Design
Services

Ward:
Longtown & Rockcliffe

Location:
Wm Armstrong Longtown Ltd, Townfoot, Longtown,
Carlisle, CA6 5LY

Grid Reference:
337736 569073

Proposal: Discharge Of Conditions 3 (Construction Drawings) And 4 (Layout Plan For Display Area) Of Previously Approved Application 09/0609

Amendment:

Decision: Grant Permission

Date: 01/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0029

Applicant:
Burgh by Sands Sports
and Recreation Association

Parish:
Burgh-by-Sands

Date of Receipt:
12/01/2010

Agent:
Story Construction Ltd

Ward:
Burgh

Location:
Burgh by Sands Village Green, Burgh-by-Sands,
Carlisle, CA5 6AN

Grid Reference:
332470 559065

Proposal: Creation Of Footpath Together With Bridges And Viewing Area Surrounding Previously Approved Playing Fields

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0032

Applicant:
William Hill Organisation

Parish:
Carlisle

Date of Receipt:
21/01/2010

Agent:
William Hill Organisation

Ward:
Castle

Location:
1 The Crescent, Carlisle, Cumbria, CA1 1QN

Grid Reference:
340301 555692

Proposal: Display Of 1no. Externally Illuminated Fascia Sign & 1no. Externally Illuminated Projecting Sign

Amendment:

Decision: Grant Permission

Date: 05/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0033

Applicant:
William Hill Organisation

Parish:
Carlisle

Date of Receipt:
21/01/2010

Agent:

Ward:
Castle

Location:
1 The Crescent, Carlisle, CA1 1QN

Grid Reference:
340301 555692

Proposal: Internal Alterations To Provide New Shop Fitting Together With The Blocking Up Of Redundant Windows And Installation Of New Air Conditioning System Along With New External Staircase To Rear

Amendment:

Decision: Grant Permission

Date: 05/03/2010

Between 27/02/2010 and 09/04/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
10/0034

Applicant:
Mr Alan Irving

Parish:
Hayton

Date of Receipt:
14/01/2010

Agent:
S & H Construction

Ward:
Hayton

Location:
The Nook, How Mill, Brampton, CA8 9JY

Grid Reference:
350538 556307

Proposal: Two Storey Front Extension And Single Storey Side Extension To Provide Enlarged Living Accommodation On Ground Floor With 1No. Bedroom, Bathroom And Shower Room Above; First Floor Side Extension Over Existing Flat Roof To Provide Dressing Room And Shower Room

Amendment:

Decision: Grant Permission

Date: 05/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0035

Applicant:
William Hill Organisation

Parish:
Carlisle

Date of Receipt:
21/01/2010

Agent:
Mr Adrian Longbottom

Ward:
Castle

Location:
1 The Crescent, Carlisle, CA1 1QN

Grid Reference:
340301 555692

Proposal: Internal Alterations To Provide New Shop Fitting Together With The Blocking Up Of Redundant Windows And Installation Of New Air Conditioning System Along With New External Staircase To Rear; Display Of 1no. Externally Illuminated Fascia Sign & 1no. Externally Illuminated Projecting Sign (LBC)

Amendment:

Decision: Grant Permission

Date: 05/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0036

Applicant:
Super Kitchen

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
19/01/2010

Agent:

Ward:
Castle

Location:
Super Kitchen Takeaway, 16 Crosby Street,
Carlisle, CA1 1DQ

Grid Reference:
340306 555787

Proposal: Variation Of Condition 3 Of Application 08/1102 To Include Sunday
Trading 1700 Hours To 2300 Hours

Amendment:

Decision: Grant Permission

Date: 15/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0039

Applicant:
Carlisle Racecourse Co
Ltd

Parish:
St Cuthberts Without

Date of Receipt:
22/01/2010

Agent:
ABCD Ltd

Ward:
Dalston

Location:
Carlisle Racecourse, Durdar Road, Carlisle, CA2
4TS

Grid Reference:
340470 552006

Proposal: Erection Of Single Storey Catering Building With Viewing Platform
Above

Amendment:

Decision: Grant Permission

Date: 01/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0042

Applicant:
Mr Jeffery Hetherington

Parish:
Carlisle

Date of Receipt:
18/01/2010

Agent:

Ward:
Botcherby

Location:
27 Geltsdale Avenue, Durranshill, Carlisle, CA1 2RL

Grid Reference:
342741 555226

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Two Storey Side Extension to Provide Kitchen/Diner On Ground Floor
With 1No. En-Suite Bedroom Above; Erection Of Front Porch

Amendment:

Decision: Grant Permission

Date: 15/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0044

Applicant:
Mr Woods

Parish:
Carlisle

Date of Receipt:
18/01/2010 08:00:47

Agent:
Mr C Davidson

Ward:
St Aidans

Location:
1 South Street, Carlisle, CA1 2EW

Grid Reference:
340635 555341

Proposal: Conversion Of 3 Bedroomed First Floor Flat Into 2No. Residential Flats

Amendment:

Decision: Grant Permission

Date: 11/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0054

Applicant:
Mr & Mrs Simon Mathers

Parish:
Carlisle

Date of Receipt:
19/01/2010

Agent:

Ward:
Harraby

Location:
58 Pennine Way, Carlisle, CA1 3RJ

Grid Reference:
342763 554676

Proposal: Two Storey Side Extension To Provide Kitchen And Utility Room On
Ground Floor With 1no. En-Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
10/0056

Applicant:
Mr Gaus Miah

Parish:
Wetheral

Date of Receipt:
05/02/2010

Agent:
Mr Frank Evans

Ward:
Wetheral

Location:
The Waterloo Inn, Aglionby, Carlisle, CA4 8AG

Grid Reference:
344260 556202

Proposal: Demolition Of Existing Beer Cellar And Store Room To Be Replaced By Kitchen And Store; Internal Alterations To Form Reception/Bar Area Together With New Porch And Walkway (Part Retrospective)

Amendment:

Decision: Grant Permission

Date: 24/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0059

Applicant:
Mr & Mrs Sisson

Parish:
Arthuret

Date of Receipt:
25/01/2010

Agent:
Countryside Consultants

Ward:
Longtown & Rockcliffe

Location:
Woodside, Easton, Longtown, Carlisle, CA6 5RP

Grid Reference:
343022 571933

Proposal: Provision Of First Floor To Provide 1no. En-Suite Bedroom, 2 No. Dormer Windows; Reconstruction Of Former Chimney

Amendment:

Decision: Grant Permission

Date: 11/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0061

Applicant:
J & S Wilkinson Ltd

Parish:
Carlisle

Date of Receipt:
21/01/2010

Agent:

Ward:
Currock

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

18 Blackwell Road, Carlisle, CA2 4AB

340613 554669

Proposal: Two Storey Rear Extension To Provide Kitchen On Ground Floor
with 1no. Bedroom Above

Amendment:

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0062

Applicant:
Lovell Partnership Ltd

Parish:
Carlisle

Date of Receipt:
22/01/2010

Agent:
Ainsley Gommon
Architects

Ward:
Belle Vue

Location:
Site G, Brookside, Raffles Estate, Carlisle

Grid Reference:
338216 555769

Proposal: Discharge Of Conditions 2-9 & 12-16 Of Previously Approved Appn
08/0327

Amendment:

Decision: Partial Discharge of Conditions
18/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0064

Applicant:
County Motors (Carlisle)
Ltd

Parish:
Carlisle

Date of Receipt:
26/01/2010

Agent:
Taylor & Hardy

Ward:
Belah

Location:
Site 78 Kingstown Broadway, Kingstown Industrial
Estate, Carlisle, Cumbria, CA3 0HA

Grid Reference:
338908 559187

Proposal: Change Of Use Of Existing Premises To A Mixed Use Comprising;
Vehicle Repair And Servicing Workshop, Including An MOT Bay; Parts
Stores; Car Sales, Together With Related Reception And Office Areas

SCHEDULE E: Decisions Issued Under Delegated Powers

(Retrospective Application)

Amendment:

Decision: Refuse Permission

Date: 22/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0067

Applicant:
The Co-operative Funeral
Care

Parish:
Carlisle

Date of Receipt:
27/01/2010

Agent:
Blaze Neon Ltd

Ward:
Stanwix Urban

Location:
6-8 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339962 557121

Proposal: Display Of 3no. Externally Illuminated Fascia Signs, 1no.
Non-Illuminated Projecting Sign And 1no. Non-Illuminated Panel Sign
(Retrospective)

Amendment:

Decision: Refuse Permission

Date: 19/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0068

Applicant:
WCF Ltd

Parish:
Brampton

Date of Receipt:
25/01/2010

Agent:
Mr David Cowen

Ward:
Brampton

Location:
WCF Ltd, Crawhall, Brampton, Cumbria CA8 1TN

Grid Reference:
353307 561060

Proposal: Installation Of Galvanised Steel Extraction Pipe With Fan On External
Wall (Retrospective Application)

Amendment:

Decision: Grant Permission

Date: 17/03/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0070

Applicant:
Mr Lewis

Parish:

Date of Receipt:
26/01/2010

Agent:
TSF Developments Ltd

Ward:

Location:
The Beeches, Station Road, Brampton, Cumbria
CA8 1EX

Grid Reference:
354078 560972

Proposal: Two Storey Rear Extension To Provide New Utility/Shower Room On
Ground Floor With 1No. En Suite Bedroom Above

Amendment:

Decision: Grant Permission

Date: 23/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0071

Applicant:
Mrs L Nir

Parish:
Carlisle

Date of Receipt:
25/01/2010

Agent:
Jock Gordon

Ward:
Harraby

Location:
37 Carlisl Drive, Carlisle, CA1 2RF

Grid Reference:
341465 554165

Proposal: Two Storey Side Extension To Provide Utility And Shower Room On
Ground Floor With 1no. Bedroom And Wc Above; Erection Of
Conservatory To Rear And Erection Of Porch To Front Elevation

Amendment:

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0072

Applicant:
Messrs J & T Wigham

Parish:
Irthington

Date of Receipt:

Agent:

Ward:

SCHEDULE E: Decisions Issued Under Delegated Powers

29/01/2010

C & D Property Services

Stanwix Rural

Location:

Riggshield, Laversdale, Irthington, Carlisle, CA6
4PS

Grid Reference:

347127 563547

Proposal: Erection Of A General Purpose Agricultural Building

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

10/0074

Applicant:

Mr Sharp

Parish:

Arthuret

Date of Receipt:

25/01/2010 13:00:12

Agent:

Tsada Building Design
Services

Ward:

Longtown & Rockcliffe

Location:

3 Mary Court, Longtown, Carlisle, CA6 5UX

Grid Reference:

338321 568705

Proposal: Erection Of Detached Garden Room & Veranda

Amendment:

Decision: Grant Permission

Date: 19/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

10/0076

Applicant:

Mr John Morris

Parish:

Wetheral

Date of Receipt:

01/02/2010

Agent:

Mr David Lamond

Ward:

Wetheral

Location:

Plot 2, Land Adjacent To The Rookery & Village
Green, Scotby, Carlisle

Grid Reference:

344200 554980

Proposal: Erection Of 1no Bungalow With Attached Garage (Plot 2) (Revised
Application)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 16/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0078

Applicant:
Mrs Alty

Parish:
Stanwix Rural

Date of Receipt:
01/02/2010

Agent:
Ashton Design

Ward:
Stanwix Urban

Location:
20 Whiteclosegate, Carlisle, CA3 0JD

Grid Reference:
341123 557844

Proposal: Erection Of Single Storey Rear Extension To Provide Shower & Garden Room

Amendment:

Decision: Grant Permission

Date: 23/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0079

Applicant:
Mr Michael Loxley

Parish:
St Cuthberts Without

Date of Receipt:
27/01/2010

Agent:
Philip Turner Associates

Ward:
Dalston

Location:
Ardnaree, Carleton, Carlisle, CA4 OAA

Grid Reference:
343376 552395

Proposal: Erection Of Single Storey Extension To Form En-Suite Bedroom And Kitchen/Dining Room Together With Raised Decking Area

Amendment:

Decision: Grant Permission

Date: 19/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

10/0080 Mr Peter Beattie Carlisle

Date of Receipt: 01/02/2010 **Agent:** **Ward:** Yewdale

Location: Yewdale Community Centre, Hutton Way, Carlisle, CA2 7TH **Grid Reference:** 337249 555339

Proposal: Erection Of Free Standing Canopy

Amendment:

Decision: Grant Permission

Date: 09/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: 10/0082 **Applicant:** Russell Armer Ltd **Parish:** Dalston

Date of Receipt: 29/01/2010 08:00:20 **Agent:** **Ward:** Dalston

Location: Hawksdale Pastures, Welton Road, Dalston **Grid Reference:** 336025 547130

Proposal: Discharge Of Conditions 2 (Conservation Process Record) And 3 (Schedule Of Internal Features) Of Previously Approved Application 09/1001

Amendment:

Decision: Grant Permission

Date: 26/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: 10/0083 **Applicant:** Primesight Ltd **Parish:** Carlisle

Date of Receipt: 29/01/2010 13:00:35 **Agent:** **Ward:** Currock

Location: James Street Service Station, James Street, Carlisle, CA2 5AP **Grid Reference:** 340143 555290

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Display Of 1no. Internally Illuminated Free Standing Double Sided Display Unit (Retrospective Application)

Amendment:

Decision: Refuse Permission

Date: 23/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0084

Applicant:
Mr & Mrs Taylor

Parish:
Arthuret

Date of Receipt:
29/01/2010 16:00:13

Agent:
Mr Armstrong-Payne

Ward:
Longtown & Rockcliffe

Location:
Low Moor Head, Longtown, Carlisle, CA6 5RG

Grid Reference:
340172 569648

Proposal: Removal Of Condition 5 Of Previously Approved Application 09/0626 (Restriction In Length Of Occupation)

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0085

Applicant:
Mr & Mrs Carruthers

Parish:
Kirkandrews

Date of Receipt:
01/02/2010 08:00:11

Agent:
Tsada Building Design Services

Ward:
Longtown & Rockcliffe

Location:
Woodfield, Gaitle Bridge, Longtown, Carlisle, CA6 5LU

Grid Reference:
335781 568411

Proposal: Two Storey Rear Extension To Provide Day/Dining Room On Ground Floor With 1no. En-Suite Bedroom And Dressing Room Above Together With The Erection Of A Balcony. Demolition Of Existing Garage And Erection Of A Replacement Garage

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 29/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0088

Applicant:
Clear Channel Uk Ltd

Parish:
Carlisle

Date of Receipt:
01/02/2010

Agent:

Ward:
Harraby

Location:
Land adj. 302 London Road, Carlisle

Grid Reference:
341847 554049

Proposal: Internally Illuminated Double Sided Advertising Panel On Bus Shelter
Amendment:

Decision: Grant Permission

Date: 17/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0089

Applicant:
Clear Channel Uk Ltd

Parish:
Carlisle

Date of Receipt:
01/02/2010

Agent:

Ward:
Harraby

Location:
Land Outside Chertsey House, London Road,
Carlisle, CA1 2QX

Grid Reference:
341556 554400

Proposal: Internally Illuminated Double Sided Advertising Panel On Bus Shelter
Amendment:

Decision: Grant Permission

Date: 18/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0090

Applicant:
Clear Channel Uk Ltd

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
01/02/2010

Agent:

Ward:
Harraby

Location:
Land to the Rear of 46 Lingmoor Way, Carlisle

Grid Reference:
341908 554000

Proposal: Internally Illuminated Double Sided Advertising Panel On Bus Shelter
Amendment:

Decision: Grant Permission

Date: 17/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0097

Applicant:
Mr & Mrs R Edgar

Parish:
Wetheral

Date of Receipt:
09/02/2010

Agent:

Ward:
Great Corby & Geltsdale

Location:
Wood House, Warwick Bridge, Carlisle, CA4 8RJ

Grid Reference:
347651 556346

Proposal: Demolition Of Existing Dwelling House And Outbuilding; Erection Of Replacement Dwelling With Attached Garage And Outbuilding (Outline Application)

Amendment:

Decision: Grant Permission

Date: 25/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0098

Applicant:
T J Graham & Sons

Parish:
Burgh-by-Sands

Date of Receipt:
11/02/2010

Agent:

Ward:
Burgh

Location:
Shield Farm, Longburgh, Burgh by Sands, Carlisle
CA5 6BJ

Grid Reference:
330686 558170

Proposal: Cubicle Shed For New Dairy Unit To Provide Cattle Accommodation
Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 08/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0102

Applicant:
Platinum Homes Ltd

Parish:
Brampton

Date of Receipt:
03/02/2010

Agent:
John Lyon Associates

Ward:
Brampton

Location:
Warren Bank, Station Road, Brampton, CA8 1EX

Grid Reference:
353865 561098

Proposal: Non Material Amendment To Previously Approved Application 09/0828
Amendment:

Decision: Amendment Accepted with Condition(s)
Date: 02/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0103

Applicant:
Harrison & Hetherington

Parish:
Carlisle

Date of Receipt:
03/02/2010

Agent:
Johnston & Wright

Ward:
Botcherby

Location:
Borderway Mart, Montgomery Way, Rosehill
Industrial Estate, Carlisle CA1 2RS

Grid Reference:
342844 555770

Proposal: New Show Hall And Office Extension On Ground And First Floors
Amendment:

Decision: Grant Permission

Date: 09/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

10/0104 Mr Graham Carlisle

Date of Receipt: **Agent:** **Ward:**
12/02/2010 Mr Davidson St Aidans

Location: **Grid Reference:**
45 Riverside Way, Carlisle, CA1 2DZ 341580 555697

Proposal: Two Storey Side Extension To Provide Kitchen/Family Room On Ground Floor With 1No. En-Suite Bedroom Above

Amendment:

Decision: Grant Permission **Date:** 09/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: **Applicant:** **Parish:**
10/0106 Mr & Mrs Coulter Stanwix Rural

Date of Receipt: **Agent:** **Ward:**
04/02/2010 Jock Gordon Stanwix Rural

Location: **Grid Reference:**
14 Antonine Way, Houghton, Carlisle, CA3 OLG 341093 558921

Proposal: Erection Of Single Storey Side Extension To Provide Lounge And Utility Room

Amendment:

Decision: Grant Permission **Date:** 23/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: **Applicant:** **Parish:**
10/0107 Knightbridge Carlisle
Developments Ltd

Date of Receipt: **Agent:** **Ward:**
05/02/2010 Architects Plus (UK) Ltd Harraby

Location: **Grid Reference:**
Former Harraby Methodist Church, Cumwhinton Road, Carlisle, CA1 3PA 342156 553962

SCHEDULE E: Decisions Issued Under Delegated Powers

Proposal: Non Material Amendment To Previously Approved Permission 08/1182
Amendment:

Decision: Amendment Accepted
04/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0108

Applicant:
Mr Barry Lamb

Parish:
Brampton

Date of Receipt:
05/02/2010

Agent:

Ward:
Brampton

Location:
Barn adjacent Breconside Farm, Milton, Brampton,
Cumbria, CA8 2QX

Grid Reference:
356212 560772

Proposal: Discharge of Conditions 9 (Bats), 10 (Level 3 Building Survey) And 11
(Bats) Of Previously Approved Application 09/0116

Amendment:

Decision: Grant Permission

Date: 01/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0112

Applicant:
Mr & Mrs D Hartley

Parish:
Wetheral

Date of Receipt:
05/02/2010

Agent:

Ward:
Wetheral

Location:
L/A Field 2700, Broomfallen Road, Carlisle, CA4
8DG

Grid Reference:
344250 554010

Proposal: Discharge Of Condition 4 Relating To Planning Application 05/0049

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 17/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0115

Applicant:
Mr Deane

Parish:
Hethersgill

Date of Receipt:
08/02/2010 08:00:46

Agent:
Gray Associates Limited

Ward:
Lyne

Location:
Rigg Head, Kirklington, Carlisle, CA6 6DR

Grid Reference:
344490 566881

Proposal: Discharge Of Conditions 3, 4, 5 And 8 Of Previously Approved Planning Application 09/1032

Amendment:

Decision: Grant Permission

Date: 03/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0117

Applicant:
Avis Rent A Car Ltd

Parish:
Carlisle

Date of Receipt:
08/02/2010

Agent:
Boyer Planning

Ward:
St Aidans

Location:
99 London Road, Carlisle, CA1 2LS

Grid Reference:
340941 555080

Proposal: Removal Of Condition 2 (Personal Condition) Of Application 02/0498

Amendment:

Decision: Grant Permission

Date: 31/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0119

Applicant:
Mr James Dalglish

Parish:
Carlisle

Date of Receipt:
08/02/2010

Agent:
TSF Developments Ltd

Ward:
Castle

SCHEDULE E: Decisions Issued Under Delegated Powers

Location:

51 Chiswick Street, 1A Hartington Place, Carlisle,
Cumbria

Grid Reference:

340636 555933

Proposal: Installation Of Railings On Existing Sandstone Wall

Amendment:

Decision: Grant Permission

Date: 01/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

10/0120

Applicant:

Mr James Dalglish

Parish:

Carlisle

Date of Receipt:

08/02/2010

Agent:

TSF Developments Ltd

Ward:

Castle

Location:

51 Chiswick Street, 1A Hartington Place, Carlisle,
Cumbria

Grid Reference:

340636 555933

Proposal: Installation Of Railings On Existing Sandstone Wall (LBC)

Amendment:

Decision: Grant Permission

Date: 01/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

10/0121

Applicant:

EDF Energy Renewables

Parish:

Carlisle

Date of Receipt:

10/02/2010

Agent:

Sinclair Knight Merz

Ward:

St Aidans

Location:

Solway Moss Peat Extraction Works, Springfield,
Longtown, Cumbria, CA6 5NH

Grid Reference:

334466 568940

Proposal: Discharge Of Conditions 3, 4 And 5 Of Previously Approved Application
09/0983

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Partial Discharge of Conditions
09/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0122

Applicant:
Etman Enterprises Ltd

Parish:
Dalston

Date of Receipt:
10/02/2010

Agent:

Ward:
Dalston

Location:
Dalston Hall Holiday Park, Dalston, Carlisle, CA5
7JX

Grid Reference:
337516 551544

Proposal: Non Material Amendment For Appn 07/0495 Showing A Revised Layout
Of Holiday Lodge Pitches

Amendment:

Decision: Amendment Refused
09/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0123

Applicant:
Mr James Dalglish

Parish:
Wetheral

Date of Receipt:
10/02/2010

Agent:
TSF Developments Ltd

Ward:
Wetheral

Location:
The Lodge House, Aglionby Grange, Aglionby,
Carlisle, CA4 8AD

Grid Reference:
343867 556423

Proposal: Demolition Of Existing Lodge House And Erection Of New Lodge House
(Revised Application)

Amendment:

Decision: Withdrawn by Applicant/or by default
Date: 07/04/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0125

Applicant:
Mr Robert Ackerley

Parish:
Hethersgill

Date of Receipt:
11/02/2010

Agent:

Ward:
Lyne

Location:
Henrys Hill, Kirklington, Carlisle CA6 6EA

Grid Reference:
345880 567736

Proposal: Extension to Free Range Poultry Building
Amendment:

Decision: Grant Permission

Date: 06/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0126

Applicant:
Mr Byers

Parish:
Arthuret

Date of Receipt:
11/02/2010 13:00:12

Agent:
Mr Jeremiah

Ward:
Longtown & Rockcliffe

Location:
Shades Barn, Ward Street, Longtown, Carlisle, CA6 5NP

Grid Reference:
338031 568745

Proposal: Demolition Of Existing Derelict Building And Erection Of New Dwelling
Amendment:

Decision: Grant Permission

Date: 26/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0127

Applicant:
Mr Byers

Parish:
Arthuret

Date of Receipt:
16/02/2010

Agent:
Mr Jeremiah

Ward:
Longtown & Rockcliffe

Location:

Grid Reference:

SCHEDULE E: Decisions Issued Under Delegated Powers

Shades Barn, Ward Street, Longtown, Carlisle, CA6 338031 568745
5NP

Proposal: Demolition Of Existing Derelict Building And Erection Of New Dwelling
(Conservation Area Consent)

Amendment:

Decision: Grant Permission

Date: 26/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0130

Applicant:
Messrs Norman

Parish:
Orton

Date of Receipt:
12/02/2010 08:01:26

Agent:
H&H Bowe Ltd.

Ward:
Burgh

Location:
Field No. 6219, Broomhills, Orton Road, Near Little
Orton

Grid Reference:
335640 554167

Proposal: Installation Of 2No. Feed Bins To Provide Feed Storage For Existing
Poultry Unit

Amendment:

Decision: Grant Permission

Date: 06/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0131

Applicant:
Mr Ditchburn

Parish:
Wetheral

Date of Receipt:
16/02/2010

Agent:
Green Design Group

Ward:
Wetheral

Location:
2 The Glebe, Wetheral, Carlisle, CA4 8EY

Grid Reference:
346707 554241

Proposal: Alterations And Extensions To Existing Bungalow To Provide Double
Garage, Drawing Room, Extended Dining Room, Bedroom, Bathroom,
1no En-Suite Bedroom, Extended Living Room With 2no Bedrooms And
Bathroom In Roof Space (Revised Proposal)

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 09/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0134

Applicant:
Carlisle City Council

Parish:
Rockcliffe

Date of Receipt:
18/02/2010

Agent:
Johnston & Wright

Ward:
Longtown & Rockcliffe

Location:
Ghyll Bank Caravan Site, Low Harker, Carlisle, CA6
4DG

Grid Reference:
338453 560929

Proposal: Discharge Of Conditions 8 (Details Of External Lighting) And Condition
11 (Details Of Drainage Scheme) Of Previously Approved Application
08/0976

Amendment:

Decision: Grant Permission

Date: 24/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0140

Applicant:
J S Bainbridge & Sons

Parish:
Wetheral

Date of Receipt:
15/02/2010

Agent:

Ward:
Wetheral

Location:
Murray House Farm, Cumwhinton, Carlisle,
Cumbria, CA4 8DH

Grid Reference:
345016 552611

Proposal: Variation Of Condition 5 Of Application 07/1011 To Allow Retention Of
Toilet Block For A Further 18 Months (Retrospective)

Amendment:

Decision: Grant Permission

Date: 31/03/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0143

Applicant:
Maris Properties Ltd

Parish:
Carlisle

Date of Receipt:
16/02/2010

Agent:

Ward:
Belah

Location:
Land at The Enterprise Public House, Briar Bank,
Carlisle, CA3 9SN

Grid Reference:
339023 557895

Proposal: Non Material Amendment To Previously Approved Application 09/1064
(Change Of Eastern Boundary From Brick Wall Close Boarded Wooden
Fence)

Amendment:

Decision: Amendment Accepted
12/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0145

Applicant:
Eden Valley Hospice

Parish:
St Cuthberts Without

Date of Receipt:
16/02/2010

Agent:
Architects Plus (UK) Ltd

Ward:
Dalston

Location:
Eden Valley Hospice, Durdar Road, Carlisle CA2
4SD

Grid Reference:
340400 553300

Proposal: Two Storey Front Extension To Existing Hospice To Provide
Accommodation For Out-Patients Clinic And Counselling Services With
First Floor Office Accommodation; New Coffee Bar And Lounge Area
Within Existing Internal Courtyard

Amendment:

Decision: Grant Permission

Date: 01/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:

Applicant:

Parish:

SCHEDULE E: Decisions Issued Under Delegated Powers

10/0147 Mr Chalmers Irthington

Date of Receipt: **Agent:** **Ward:**
16/02/2010 13:00:12 Mr Rodney Jeremiah Stanwix Rural

Location: **Grid Reference:**
Scare Farm, Hethersgill, Carlisle, CA6 6EY 348073 565070

Proposal: Two Storey Side Extension To Provide Garden & Shower Room With
En-Suite Bedroom Above Together With Single Storey Rear Extension
To Provide Utility Room

Amendment:

Decision: Grant Permission

Date: 08/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: **Applicant:** **Parish:**
10/0148 Mr Chalmers Irthington

Date of Receipt: **Agent:** **Ward:**
22/02/2010 Mr Rodney Jeremiah Stanwix Rural

Location: **Grid Reference:**
Scare Farm, Hethersgill, Carlisle, CA6 6EY 348073 565070

Proposal: Two Storey Side Extension To Provide Garden & Shower Room With
En-Suite Bedroom Above Together With Single Storey Rear Extension
To Provide Utility Room (LBC)

Amendment:

Decision: Grant Permission

Date: 08/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No: **Applicant:** **Parish:**
10/0150 Jayne Grant Carlisle

Date of Receipt: **Agent:** **Ward:**
17/02/2010 Ainsley Gommon Morton
Architects

Location: **Grid Reference:**

SCHEDULE E: Decisions Issued Under Delegated Powers

Land at Barras Close, Barras Close, Carlisle

338386 554235

Proposal: Non Material Amendment Of Appn 09/0036 To Change The Brickwork From Two Course Brick To Four Course Brick Below Render On All House Types

Amendment:

Decision: Amendment Accepted
09/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0157

Applicant:
Mr & Mrs S Murray

Parish:
Arthuret

Date of Receipt:
18/02/2010

Agent:

Ward:
Longtown & Rockcliffe

Location:
Heathbank, Longtown, Carlisle, CA6 5TR

Grid Reference:
340576 566953

Proposal: Erection Of Single Storey Side And Rear Extension To Provide Enlarged Living Space (Revised Proposal)

Amendment:

Decision: Grant Permission

Date: 29/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0159

Applicant:
Mr T Brown

Parish:
Cummersdale

Date of Receipt:
19/02/2010

Agent:

Ward:
Dalston

Location:
The Barn, Newby Cross, Carlisle, CA5 6JP

Grid Reference:
336533 553969

Proposal: Erection Of Single Storey Side Extension To Provide Hobby Workshop & Store Yard

Amendment:

SCHEDULE E: Decisions Issued Under Delegated Powers

Decision: Grant Permission

Date: 31/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0161

Applicant:
Mr C Irwin

Parish:
Carlisle

Date of Receipt:
19/02/2010

Agent:
Jock Gordon

Ward:
Yewdale

Location:
52 Chesterholm, Carlisle, CA2 7XX

Grid Reference:
336903 555567

Proposal: First Floor Extension Above Existing Garage/Utility To Provide En-Suite Bedroom Together With Lean To Roof Over Garage, Porch & Bay Window To Front

Amendment:

Decision: Grant Permission

Date: 18/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0171

Applicant:
Cubby Construction
Limited

Parish:
Carlisle

Date of Receipt:
22/02/2010

Agent:

Ward:
Castle

Location:
Unit 4 Tower Court, West Tower Street, Carlisle
CA3 8QT

Grid Reference:
339986 556192

Proposal: Non Material Amendment To Remove The Internal Lifts Of Previously Approved Application 09/0689

Amendment:

Decision: Amendment Accepted
04/03/2010

Date:

Between 27/02/2010 and 09/04/2010

SCHEDULE E: Decisions Issued Under Delegated Powers

Appn Ref No:
10/0173

Applicant:
Ben Hodgson Cars Ltd

Parish:
Dalston

Date of Receipt:
23/02/2010

Agent:
Hills Roofing

Ward:
Dalston

Location:
Bridge End Service Station, Bridge End, Dalston,
Carlisle, CA5 7BH

Grid Reference:
337113 548737

Proposal: Non Material Amendment Of Appn 09/0708 To Install A Fire Exit To Side
Elevation

Amendment:

Decision: Amendment Accepted
19/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0175

Applicant:
Maris Properties Ltd

Parish:
Carlisle

Date of Receipt:
23/02/2010

Agent:

Ward:
Belah

Location:
Land at The Enterprise Public House, Briar Bank,
Carlisle, CA3 9SN

Grid Reference:
339023 557865

Proposal: Non Material Amendment Relating to Planning Reference 09/1064
(Decking)

Amendment:

Decision: Amendment Accepted
12/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0176

Applicant:
The Co-operative
Funeralcare

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
23/02/2010 16:00:32

Agent:
Blaze Neon Ltd

Ward:
Stanwix Urban

Location:
6-8 Etterby Street, Carlisle, CA3 9JB

Grid Reference:
339962 557121

Proposal: Display Of 3no. Externally Illuminated Fascia Signs, 1no.
Non-Illuminated Projecting Sign And 1no. Non-Illuminated Panel Sign
(Retrospective) (LBC)

Amendment:

Decision: Refuse Permission

Date: 29/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0178

Applicant:
William Hill Organization
Ltd

Parish:
Carlisle

Date of Receipt:
24/02/2010

Agent:

Ward:
Castle

Location:
1 The Crescent, Carlisle, CA1 1QN

Grid Reference:
340301 555692

Proposal: Discharge Of Condition 2 Relating To Planning Reference 09/0901

Amendment:

Decision: Grant Permission

Date: 08/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0181

Applicant:
Mr Robert Swales

Parish:
Hayton

Date of Receipt:
24/02/2010

Agent:

Ward:
Hayton

Location:
Greenwell Cottage, Castle Carrock, Carlisle, CA8
9NH

Grid Reference:
353657 556544

Proposal: Non Material Amendment To Previously Approved Permission 09/1005

SCHEDULE E: Decisions Issued Under Delegated Powers

(Timber Cladding To Garage)

Amendment:

Decision: Amendment Accepted
23/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0182

Applicant:
Munchkins Nursery

Parish:
Carlisle

Date of Receipt:
26/02/2010

Agent:
Rol Design

Ward:
Castle

Location:
Munchkins Nursery, Unit 1, Canal Court Business
Centre, Infirmary Street, Carlisle, CA2 7AN

Grid Reference:
338928 555935

Proposal: Creation Of Outdoor Play Area To Nursery By Constructing Floor In
Lightwell And Removal Of Roof Covering

Amendment:

Decision: Grant Permission

Date: 09/04/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0190

Applicant:
Citadel Estates Ltd

Parish:
Castle Carrock

Date of Receipt:
08/03/2010

Agent:
Holt Planning Consultancy

Ward:
Great Corby & Geltsdale

Location:
L/A Field 3328, Castle Carrock, Carlisle

Grid Reference:
354325 555243

Proposal: Non Material Amendment To Previously Approved Permission 08/0245

Amendment:

Decision: Amendment Accepted
22/03/2010

Date:

SCHEDULE E: Decisions Issued Under Delegated Powers

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0203

Applicant:
Brampton Surgery

Parish:
Wetheral

Date of Receipt:
15/03/2010

Agent:
Green Design Group

Ward:
Wetheral

Location:
Yew Tree Cottage, Wetheral, Carlisle, CA4 8JD

Grid Reference:
346602 554535

Proposal: Non Material Amendment Relating To Planning Permission 09/0827 For Replacement Of Existing Entrance Porch

Amendment:

Decision: Amendment Accepted
09/04/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0205

Applicant:
Shiver Associates Ltd

Parish:
Burgh-by-Sands

Date of Receipt:
03/03/2010

Agent:

Ward:
Burgh

Location:
L/Adj to Windrush, North End, Burgh by Sands,
Carlisle, CA5 6BD

Grid Reference:
332756 559329

Proposal: Non Material Amendment Relating To Planning Reference 09/0175 To Provide An Additional Door To The West Elevation

Amendment:

Decision: Amendment Accepted
25/03/2010

Date:

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0213

Applicant:
William Hill Organization
Ltd

Parish:
Carlisle

SCHEDULE E: Decisions Issued Under Delegated Powers

Date of Receipt:
05/03/2010

Agent:

Ward:
Castle

Location:
1 The Crescent, Carlisle, CA1 1QN

Grid Reference:
340301 555692

Proposal: Discharge Of Condition 2 Relating To Planning Reference 09/0896

Amendment:

Decision: Grant Permission

Date: 10/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0231

Applicant:
Irving Builders Limited

Parish:
Carlisle

Date of Receipt:
10/03/2010

Agent:
Black Box Architects
Limited

Ward:
Currock

Location:
209 Blackwell Road, Carlisle, CA2 4DN

Grid Reference:
340333 554211

Proposal: Discharge Of Conditions 2 (External Walling Materials); 3 (Roofing Materials) And 7 (Hard And Soft Landscaping Works) Of Previously Approved Application 09/1007

Amendment:

Decision: Grant Permission

Date: 25/03/2010

Between 27/02/2010 and 09/04/2010

Appn Ref No:
10/0235

Applicant:
Mr Kenneth Mowbray

Parish:
Nether Denton

Date of Receipt:
11/03/2010

Agent:

Ward:
Irthing

Location:
Old School House, Low Row, Brampton, CA8 2LN

Grid Reference:
358339 563166

Proposal: Non Material Amendment (Change Of Roofing Material) To Previously

SCHEDULE E: Decisions Issued Under Delegated Powers

Approved Application 08/1161

Amendment:

Decision: Amendment Accepted
19/03/2010

Date:
